

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

May 26, 2015

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON TUESDAY, MAY 26, 2015, BEGINNING AT 11:15 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the County Council will come to order. Once again, just a reminder, if you have cellphones, please turn them on silent. And, we'll proceed with the roll call.

Mr. Clerk.

ROLL CALL

PRESENT: COUNCILMEMBERS ROBERT CARROLL, ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, G. RIKI HOKAMA, MICHAEL P. VICTORINO, VICE-CHAIR DONALD S. GUZMAN, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBER GLADYS C. BAISA.

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, eight Members are present, one excused. A quorum is set to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk. And for our opening remarks this morning, we have Vice-Chair Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

OPENING REMARKS

The opening remarks were offered by Vice Chair Don S. Guzman.

CHAIR WHITE: Thank you, Vice-Chair Guzman.

Will everyone please rise and join me in reciting the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, proceeding with ceremonial resolution.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 15-53

CONGRATULATING THE FALCON ENTERTAINMENT &
ENGINEERING TECHNOLOGY CLUB OF MAUI WAENA
INTERMEDIATE SCHOOL FOR EARNING TOP HONORS
AT THE 12TH ANNUAL STUDENT TELEVISION
NETWORK CONVENTION

CHAIR WHITE: Vice-Chair Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

I MOVE THAT THE PROPOSED RESOLUTION
"CONGRATULATING THE FALCON ENTERTAINMENT
ENGINEERING TECHNOLOGY CLUB ON [S/C] MAUI WAENA
INTERMEDIATE SCHOOL FOR EARNING TOP HONORS AT
THE 12TH ANNUAL STUDENT TELEVISION NETWORK
CONVENTION", BE ADOPTED.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Guzman and a second by Mr. Victorino.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. It is with great pride that we honor the Falcon Entertainment & Engineering Technology Club of Maui Waena for earning top honors at the 12th Annual Student Television Network Convention, and bringing pride to our County.

Oh, we didn't? Oh, I, I apologize. Chair, may I request that the, the Clerk read the resolution in its entirety?

CHAIR WHITE: Yes. Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. I would like to ask our, my Members to support this reso. I believe that the, this type of accomplishment shows to our County and to our State that our, our youth here in Maui are very advanced and they're on the road to new resources and technology.

I know that this team has worked very diligently and had worked hard during the year to accomplish such a goal. And, I, I have to very much praise them for, for all their other accomplishments, as well as their parents and the, the teachers and advisors that have had supported the students. So, again I congratulate, congratulate the team and, and the student body as a whole in supporting the team. Thank you, Chair.

CHAIR WHITE: Thank you. Members, are there--

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I want to congratulate the folks too, the, the kids have done a tremendous job. I know part of my other background and the reason I'm here is video and television. So, I know how tough it is to do what

they were doing. And to get the best in the country, or, is, is just a really good honor. So, congratulations on a well done job.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. And, I'll share the sentiments of my colleagues. And, I would also say that I want to thank, not only the students for all their hard work and dedication, and the determination to be the best, I would also like to congratulate and thank the teachers, instructors, and parents who make it all possible. You know, without them, all of this would not be accomplished.

And, also all the fundraisers that need to come so that you can travel for this kinds of competitions. So, I want to congratulate all parties and wish the young people continued success . . . that Maui is still no ka oi no matter what we endeavor in. Mahalo, Mr. Chair.

CHAIR WHITE: Further comments, Members? Seeing none, all those in favor of the motion, please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", with one "excused", Member Baisa.

And, before we bring the kids down for recognition, we will be showing the short video that they were graded on so that everyone can see why, why they got the award.

So, Deputy Clerk.

(The video was presented.)

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. May I ask the, the Falcon team as well as their advisor and teacher, Ms. Jennifer Suzuki to come down to the floor to receive their accolades?

CHAIR WHITE: Yes. Thank you.

Mr. Guzman.

VICE-CHAIR GUZMAN: Chair, I, I'd like to ask there are, their teacher Ms. Jennifer Suzuki to just briefly say a few words. Thank you.

MS. JENNIFER SUZUKI: Unexpected and unrehearsed, sorry. I guess I should say thank you to the Councilmembers who thought this was important enough to honor. And, thank you to all my amazing students for working so hard. And, to my amazing Vice-Principal for taking her time off to come here. And, to everybody else, thank you.

CHAIR WHITE: Thank you. Thank you, Mr. Guzman.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 15-53.

Mr. Chair, proceeding with presentation of testimony on agenda items. We have established limited telephone interactive communication that enables individuals from Hana, Lanai, and Molokai to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai, should now sign up at the district, with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth floor lobby just outside the chamber door. Testimony on all locations is limited to the items listed on today's agenda.

And, pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes with one minute to conclude if, if requested. When testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

COUNTY CLERK: Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good, good morning. This is Ella Alcon on Molokai and there is no one here waiting to testify.

COUNTY CLERK: Thank you.

Mr. Chair, we have 23 individuals who have signed up to provide testimony in the Council chamber. The first person to provide testimony in the chamber is Kimo Kimonaka *[sic]*, to be followed by Kaila Nelson-Floto.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. KIMO KINIMAKA (testifying on County Communication No. 15-137):

Good morning.

CHAIR WHITE: Good morning.

MR. KINIMAKA: Aloha, everybody. Thank you for letting me be here. I'm grateful. I was really encouraged by the kids and happy day after Memorial Day for those who served and died for our country.

You know, the kids are gone now, but I thought it would be pretty cool to say that I'm, I'm here, just like that hope and that dream that our Denver Bronco fan over there, yea, got your attention, thank you, that our hopes and our dreams can be pursued and that we can take that leap in faith. And, that's what I've done and that's why I'm here today. And, and I'm grateful to God for that.

I just want to say that I, I pretty much am against this increase. It would almost be like one of you going and registering your car for like 400 bucks, and a year later go back and it costs you \$2400 when you go through that long line. It's, It's really an impact to go from \$500 a month, I mean for a year, and increase to \$3,000. I, I, I feel it to be heinous.

I am under regulations, restrictions, guidelines, microscopes. We have business operators. Thank you for your attention. We have business operators that do not have licenses that are imposing on our businesses. And, they are not being regulated. And, there is no regulation whatsoever. The Park County Ranger comes down to talk to me, I said what's going on, oh braddah I no can do anything about this. Well, then who's going to do something about it? Sorry, Mr. White, for not acknowledging you, sir.

I have in my hands, a proposition from the Small Business Regulatory Review Board, which would like to say to you guys, I'll leave it with you, defer this. I am not asking for a deferral. I believe increases are necessary. I also believe that it's, it, it would be okay if there is space available according to CORA permits and reviews that have been done, that you allow other people to operate.

An increase of 100 percent to maybe \$1,000 a year, while we talk about it and find out what's going to happen next year, gives us, like those kids of Maui Waena, a chance to continue in business. There were 400 permits, 300 were taken away. It's not because this is a hot commodity. This is hard.

Next week I have to answer to unemployment. I have to make sure I have all of my certificates in place. I'm doing everything that I'm supposed to do that you've prescribed. I want to know where you justify a 600 percent increase.

CHAIR WHITE: Members, any questions for the testifier?

If you can hold on a second.

COUNCILMEMBER COUCH: Just identify himself please.

MR. KINIMAKA: I was joking about the Broncos; better luck next year.

COUNCILMEMBER COUCH: Can, can you identify yourself please?

MR. KINIMAKA: Yes, Mr. Couch. Kimo Kinimaka, you've been to my surf school, you've been with me before, you got to watch what we do.

CHAIR WHITE: Any, any questions for the testifier?

Thank you very much for your presence this morning.

MR. KINIMAKA: Hit um, Shane.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Kaila Nelson-Floto, to be followed by Debra Greene.

Kaila Nelson-Floto.

Debra Greene.

CHAIR WHITE: She testified earlier. She appears to have left.

COUNTY CLERK: Greg Howeth.

MR. GREG HOWETH, LAHAINA DIVERS INC (testifying on County Communication No. 15-137):

Honorable Chair White, Members of the Council, my name is Greg Howeth. I own a company called Lahaina Divers. We are one of the commercial ocean recreation activity business's here on the island of Maui. I'd like to speak to Bill No. 15-137. It's the proposed increase on commercial ocean recreation activity permit fees.

I believe you heard some other testifiers already speak today, a number of them are standing behind me. The Small Business Regulatory Review Board, I understand, has sent a letter that you should have received. It was dated on May 21, 2015. I'd like to just read one section as a quote from this. "Upon review at its May 20, 2015 board meeting, the SBRRB members unanimously agreed to request that the County of Maui City County Councilmembers defer any action on the proposed increase in CORA permit fees until communication between the stakeholders, businesses, the public, and all those affected by the increase is conducted for discussion and feedback. This is a necessary step so that all will know the purpose of the increase and its expected outcome."

I testified earlier that I had, was an advocate of a deferral. You heard Rick Leong talk that a permit fee of an increase of \$1,000 for the first permit and possible continued, \$500 fee for subsequent permits was acceptable to him. That's still 100 percent increase in the fee structure. Think in most terms of most businesses, I believe you heard representatives from the Chamber of Commerce speak that most businesses cannot afford 100 percent increase in their fee structures.

We ask that you, or I ask that you reconsider this and come up with a number that's much more palatable, and really more economically viable for the businesses. You've heard testifiers show that there is no hoarding of permits, that in fact there are permits available if the County should choose to issue those based on the charts that Ms. Cadiz showed you.

So, in response to these fee increases, please defer this until we've had a chance to discuss it further. I know with all of your busy schedules between the holiday and everyone being off-island during the week before this meeting, it was difficult for any of us to reach you, and likewise for any of you to reach us. So, we'd open the door to extend the opportunity for us to discuss it further. And, a deferral would give us that opportunity. Thank you for your time.

CHAIR WHITE: Thank you, Mr. Howeth.

Members, any questions to the testifier? Seeing none, thank you very much for being here.

MR. HOWETH: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Charleen Mansfield, testifying on County Communication 15-136, to be followed by Helen Barrow.

MS. CHARLEEN MANSFIELD (testifying on County Communication No. 15-136):

Aloha mai kakou, Charlene Mansfield is my name and I am a teacher at the college. I'm semi-retired. But, I'm here today to talk to you as a senior citizen and as a student.

If you took a ride on the bus and talked to the people who ride the bus on a regular basis, as I do, you would find that many of us are hard-pressed to meet financial obligations, and really need a rollback in these rates. An increase from \$25 to 60 is an egregious increase. And we would ask that you would rollback those prices to something more tolerable.

It may behoove you to take a bus ride and talk to some of us because many of us do not have cars. It is difficult for us to go places without the bus transportation. So, I would just really appreciate your listening to us. Thank you.

CHAIR WHITE: Thank you, Ms. Mansfield.

Members, any questions for the testifier? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Helen Barrow testifying on County Communication No. 15-136. Helen Barrow.

Next testifier Brenda Lowrey testifying on Committee Report 15-154 *[sic]*.

MS. BRENDA LOWREY (testifying on Committee Report No. 15-54):

Hi, my name is Brenda Lowrey and I'm a Facility Planner with the Department of Education's Office of School Facilities and Support Services. And, I'm here today in support of just communication, the item 15-54, the three bills for Molokai High School for the District Boundary Amendment, Community Plan Amendment, and Change in Zoning. And, we just appreciate your timely approval of this measure so we can get started building the science facility this summer. Thank you.

CHAIR WHITE: Thank you, Ms. Lowrey. Any questions for the testifier? Seeing none, thank you for your presence this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is David Moore testifying on Committee Report 15-53, to be followed by Tyrone Spellman.

CHAIR WHITE: I don't see Mr. Moore.

COUNTY CLERK: David Moore.

Tyrone Spellman. And, Mr. Spellman to be followed by George Rainey.

MR. TYRONE SPELLMAN (testifying on County Communication No. 15-136):

Hello, good morning everyone. My name is Tyrone Spellman. Thank you, Council Chair and Councilmembers. And, I'm here in regards to the proposed fare hike.

And, when I was reading the, the notice on the bus, it didn't give a definitive answer why the increase was needed. Was it for fuel, was it for maintenance, was it for salaries? And, and I found there was a bleakness and it's, in how it was being proposed. I'm one that I, I use the bus every day. I, I'm a senior so there was no, again, whether low-income was considered being a senior. Will the senior pass stay into place or will the low-income be a new pass altogether?

I'm for one that I, right now I receive a subsidy or, for, for riding the bus. But, my main purpose is for those families that are using the bus and those who are, are using the bus for families, especially the ones that had testified earlier.

We have companies on, on Maui where if they could implement a program to help families with transportation. And when, and it works very well in some cities like in Los Angeles where I've lived, where employers they did give a subsidy to the employees for using public transportation.

Because, we're using a word here as close as sustainability and it's, it's not a fad word, I take it as being a principle. And, being, and we all want to sustain a life that is more variable to just putting out of pocket and, and so we don't go without the necessities of life.

I find that there needs to be improvements in the Maui bus transportation, especially when we have ships that come in and you have people that are waiting in line to go to Lahaina for a bus that only runs every hour where there should be a bus that's running every half hour. And where drivers had to bypass people that are on their way to work and, you know, and can't use the bus.

The, the termination of service is much too earlier for, for riders, especially if you're going to Kihei and to Lahaina. That, you know, once you know, 7:30 is too early because you have riders that would like to work late at their jobs but they have to leave early, you know, for this, the mere fact that they have to catch the bus.

And, when services go out, if a bus is broken down, I've seen this numerous of times where again you have to wait at a bus station for an hour, hour and a half for maintenance to bring in a bus. And, no one wants to hang around a bus station. I don't at all.

I, I really feel that there needs to be a, an internal strategy for aligning with outside organizations to, and listen, more detail information on ridership. Thank you.

CHAIR WHITE: Thank you very much, Mr. Spellman.

Members, any clarification needed on the testimony? Thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is George Rainey testifying on Committee Report 15-53, to be followed by Terri Rainey.

MR. GEORGE RAINEY (testifying on Committee Report 15-53):

Good morning.

CHAIR WHITE: Good morning.

MR. RAINEY: Chair White and Councilmembers. My name is, is George Rainey, former Hawaii State Commissioner with the Department of Commerce and Consumer Affairs back in the 80's. I served two terms, eight years, and I have fifty years in corporate America.

So, what I'm about to say here, I'm sure everyone is familiar with, especially if you have worked or, or create a company. Without the, within those fifty years, I worked throughout the United States in non-profits, and for the State, for the, not for the government but for, for Fortune 500 Companies. And, throughout those, I have learned and I'm sure you will agree with me about this word I'm about to say, reasonableness. Reasonableness in terms of budgeting. I've heard quite a few people here talk about a 600 percent increase, even 100 percent increase, that is not reasonable. And, all of us here know that. That is an insult.

Now, I heard the young man who spoke just before me here, he, he mentioned the word "why". Why are the increases, why are there going to be increases, why? We'd like to know why. Even 10 percent is why. Tell us why first. So, I pose that question to you. Perhaps someone here can answer that, perhaps this is not the forum for it, but that's my question. Can that be answered here?

CHAIR WHITE: This is your time to let us know your feelings.

MR. RAINEY: Okay, well, to that end, I, I'd like to just leave that out there and, and again, thank you very much for this open, open hearing or session. We look forward to

working with you, especially the community. And, I'm here on behalf of not only the seniors, but also students and anyone who takes that bus, especially on a daily basis.

CHAIR WHITE: Thank you, Mr. Rainey.

Members, any need for the testimony to be clarified? Thank you very much for your service to the State and thank you for being here today.

Mr. Clerk.

COUNTY CLERK: The next testifier is Terri Rainey testifying on Committee Report 15-53, to be followed by Francis Ballard.

MS. TERRI RAINEY (testifying on Committee Report No. 15-53):

Aloha, Mr. Chair and, and ohana. I'm Terri Rainey. I'm just one of the community seniors, but I go farther than that. I've got this big heart and I care about all the people that I meet every day and see. When I was in the ninth grade, I met Dr. King, the late Martin Luther King, Jr. And, he put so much compassion into me and so much love for people that it just came that way.

So, when I speak today about the bus fare increases, I'm speaking for the community. I saw that form, it said I could have said myself, and the others, and community. So, I'm speaking the truth from what I've heard from people that I've spoken to on the bus and what I've seen.

I've seen people that need other people, aides or students, or another senior push them on the bus. Some have limbs and some don't. I've seen the blind. I've seen the homeless and the hungry. I've seen a group of students take those buses and they're coming from Kihei all the way to town to catch another bus to go somewhere else. So, the bus system works beautifully except for that price increase.

As a senior, I'm paying \$25. And we sat on the bus a couple weeks ago and we saw the notice in front of us and we saw how it was broken down. But, we couldn't see where the seniors fit. So, we were talking, George and I, and I saw \$60 all riders; students, disabled, all riders. Granted the visitors come with a lot of money. They can pay it, they don't know any better. We observe the \$2 increase for the day passes, you know from 2 to \$4, no problem. People grumbled but they did it. But, they can't dig in their pockets and find \$60. Those people are on Medicaid.

By the way, I'm Ms. Dual Medi-Medi 2015 and I represent Medicare and Medicaid. And, you know Medicaid is for people with special needs. So, we have special needs. We don't mind helping in the budget and to succeed in our beautiful Maui. But, we just ask for consideration and some compassion. And, thank you for pushing it back.

But, before you look to do it, make it higher, can you just get on a bus and ride with us? You'll see, you'll feel, it'll be lasting. And, you may not even want to increase. You may find something else to move over, to keep us safe and happy. Aloha and mahalo.

CHAIR WHITE: Thank you, Ms. Rainey.

Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Francis Ballard testifying on County Communication 15-136, to be followed by Joe Gabel.

MR. FRANCIS BALLARD (testifying on County Communication No. 15-136):

Aloha, Councilmembers.

CHAIR WHITE: Good morning.

MR. BALLARD: Chair White. I think that last testimony pretty much went to the heart of how we feel. I've lived here since '86. I've ridden the bus ever since it was going in the MEO.

CHAIR WHITE: If you could state your name for the record.

MR. BALLARD: Francis Ballard, private citizen.

CHAIR WHITE: Thank you.

MR. BALLARD: But, a bus rider with the Maui Bus ever since it's been going, and then a bus rider with the MEO system. And, like the lady before, you know, times are tough. And, you don't necessarily have to be, you don't have to necessarily, I guess, be one check away. I see the bus system as being the great equalizer.

It's an opportunity for people to access for freedom, for independence. My lady and I ride it. She, she rides to work. I ride to work. We ride here and there once in a while going to South Kihei, west. And, we love the bus. And, we, if we didn't have the bus, we'd really be without our independence, you know.

And, so I think the increase, I find it difficult to believe really, that privatized Robert's Company and this very powerful, very able County, cannot come up with a better solution than deferring the costs upon those that are socioeconomically disadvantaged, okay.

I think, I mean I'm not a smart guy, but if you look at other more successful bus systems, I think you'll see that the bus systems are successful when they are communicating with their ridership continually and they are asking, like you do in a market economy, the customer or the rider, how can we improve. And, from that point, they draw on solutions, you know. Maybe that's why folks are asking, you know, the, the Councilmembers who are very busy, and I know it's a huge responsibility for you guys to ride the bus, but somehow we've got to have a better communication.

I don't know if there's some sort of an advocacy position that could be created within the Council that deals with these issues. But, I do know one thing, I think the increase in the monthly rates is just too much, too large. And, I want to thank you, Councilman Hokama, that held back on that and tabled it because I've been talking to a lot of riders and they're all really, they're concerned, you know. They're concerned in the ability to get around. I mean, going to the hospital, going to a job, just going out to being independent. Please consider that. It's more than just a bus. It's a person's independence, you know. Thank you.

CHAIR WHITE: Thank you very much, Mr. Ballard.

Members, any need for clarification of his testimony? Seeing none, thank you for being here this morning.

MR. BALLARD: Thanks.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Joe Gabel testifying on County Communication 15-136, to be followed by Clark Johnson.

MR. JOE GABEL, ALOHA INDEPENDENT LIVING HAWAII (testifying on County Communication No. 15-136):

Hello, good morning, Chair, Councilmembers. Thank you very much for this opportunity to voice the opinions. I'm here on behalf of Aloha Independent Living Hawaii. Thank you. Hi, I'm Joe Gabel. I'm here on behalf of Aloha Independent Living Hawaii. We help people with disabilities achieve greater independence.

And, much to what the gentleman before me just said, I'd like to echo about independence. This proposed fare hike, which I understand has been tabled for the meantime, would very much cut into a large portion of Maui County's resident's independence. And, believe that it should not go forward. I feel that there are many reasons.

Besides the fact that it will decrease everyone's independence, it'll also decrease your own pockets as this will decrease commerce. If you want your residents actually providing and working, and giving back to the community that they live in, you would allow them greater independence; including a more comprehensive transit system without the additional burden of a higher cost which many of the people that we are referring to in a lot of the testimony. That has happened prior to myself getting up here, has stated a lot of people cannot afford the current rates much less such a substantial increase. So, I'd like to reiterate and say that this is something that will further demean your workforce. It will further demean your people's safety. It will further demean just your community at large.

And, so I commend the Council for tabling it and I hope that they don't proceed with that. And, I'd like to thank you for your time. I additionally, I'd like to say thank you very much for starting off the day by thanking the veterans. I myself have had families, members that have served and I continue to have friends that are serving. So, I just wanted to thank you for that as well. Aloha and mahalo.

CHAIR WHITE: Thank you, Mr. Gabel.

Any need for clarification of his testimony, Members? None, thank you for your coming this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Clark Johnson testifying on County Communication 15-136, to be followed by Dustin Tester.

MR. CLARK JOHNSON (testifying on County Communication No. 15-136):

Good morning, aloha, Mr. Chairman.

CHAIR WHITE: Good morning.

MR. JOHNSON: Councilmembers. My name is Chip-Clark Johnson. Today, you've heard the testimony of many people that'd be impacted by the bus fare restructuring increases proposal. I would like to introduce the Chip Plan. The Chip Plan would basically, our proposal is \$25 for the reduced fare, which I believe you people have been given, the Councilmembers have been given the copy of their Chip Plan. And, I also emailed them to each and every one of you.

Continuing, the reduced fare would be, monthly pass would be \$25. Weekly pass we're proposing would be \$7. A daily pass \$2. Single ride will be \$3. The general, where it would still be \$50, \$15, 5 and 3. To qualify for the reduced fare category, you could be a senior with a State ID or driver's license, 55 plus like it currently is. A student with a student ID or disabled Medicare card or a certification as is currently done.

I am really concerned about what this in, proposal would, was going to do. My concern also is about the riders that will be impacted. I'm requesting that you guys, that you people rollback the prices to my proposal because it is really costly and expensive with fixed incomes to afford these prices. Thank you very much and mahalo.

CHAIR WHITE: Thank you, Mr. Johnson.

COUNCILMEMBER VICTORINO: Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Quick, quick question for Chip there. Chip, you have "Our Proposal". "Our Proposal" is what the Council is proposing. Is that what you, that's what "Our Proposal" is?

MR. JOHNSON: Oh.

COUNCILMEMBER VICTORINO: Yea, cause I'm kind of confused because "Our Proposal" and "Reduced". I know you kind of hitting on the "Reduced", but who's "Our Proposal"?

MR. JOHNSON: That's my proposal, excuse me. That's the Chip Plan.

COUNCILMEMBER VICTORINO: Okay so, the Chip Plan is the general, the, "Our Proposal" and the "Reduced" is who?

MR. JOHNSON: Okay, the general, there's on the Chip Plan is one fare category and the reduced is a reduced category to qualify for the FTA, Federal Transportation Administration.

COUNCILMEMBER VICTORINO: Okay.

MR. JOHNSON: Now, on your original proposal, you had \$60 as a general fare. And then the low-income fare, you had approved yourself for a reduced price. What kind of bureaucracy would be involved in having the re, re, the low-income fare? I just cannot imagine who would be involved in that especially by the July 1 deadline.

COUNCILMEMBER VICTORINO: Okay, Chip, I--

MR. JOHNSON: Cause right now we're sitting at May 26.

COUNCILMEMBER VICTORINO: Okay, Chip, thank you.

MR. JOHNSON: Go ahead, Mr. Victorino.

COUNCILMEMBER VICTORINO: I was trying to get, you know, just how, how to read this, okay. I got it, I got it.

MR. JOHNSON: Okay. Thank you.

COUNCILMEMBER VICTORINO: Thank you, sir. I appreciate it.

Thank you, Chair.

CHAIR WHITE: Any further clarifications needed? Seeing none, thank you very much, Mr. Johnson.

MR. JOHNSON: You're welcome. Mahalo and aloha.

CHAIR WHITE: Mr. Clerk. Aloha.

COUNTY CLERK: Next testifier is Dustin Tester testifying on County Communication 15-137, to be followed by Cecilia Potts.

MS. DUSTIN TESTER, MAUI SURFER GIRLS (testifying on County Communication No. 15-137):

Hi, good afternoon. Thanks for taking the time to listen, County members, County Councilmembers. I'm feeling a little under the weather so I'm going to read my testimony and then hopefully speak candidly about this issue.

And, so my name is Dustin Tester. I'm testifying on behalf of Maui Surfer Girls and the CORA operators. I've been a CORA permit holder for 15 years and I'm pretty shocked at the dramatic proposed 600 percent increase in our fee. Is it realistic to expect the parks will increase our services by 600 percent?

At my park, Ukumehame has no running waters, no showers, and rare park ranger presence to regulate illegal operators. My customer, my customers have even refused to use the port-o-potty's that aren't regularly maintained. Even safety concerns that can result in a lawsuit from my business and the County have gone unaddressed. For two years, a broken pipe at the shoreline where we launch our students hasn't been removed after I've left several voicemails and emailed photos of the safety hazard.

Ukumehame is one of the windiest parks to conduct surf lessons in the County. And, for years I've requested an alternative beach park that is safer on high wind days. Obviously, I've been denied the alternate park.

With all this said, if I'm going to pay such a high fee increase, can I expect the services that my business deserves; running water, clean bathrooms, park ranger enforcement, and an alternative park to conduct my business safely so I can pay for the permit and provide safe and quality surf lessons to my customers?

So, from day one, I feel like surf schools have this evil surf school reputation. And, my business, my mission of my business is to empower girls through the sport of surfing, through my camps. And, I've, you know, scholarship Boys & Girls Club kids to our programs. We provide safe surf lessons for our small groups at our surf school. And, I just don't think it's fair to kind of lump us into this category that we're, you know, evil when we're trying to provide a really good service.

Even this morning, I got a email from a student that said, your surf school saved my life. And, I read further and I was like pretty shocked at this email. And, she said that after a surf lesson last August she had breast pain and, she thought it was from the paddling. When she got back to the mainland, she found out that she had breast cancer. So, it's an early detection because of our surf lesson.

So, I've got thirty seconds left. So, I'm just trying to say that, you know, we aren't evil and we are providing an excellent service. And, if you increase our rate to 600 percent more, you know, it just really impacts my small business. I'm a small surf school and this would really affect us. So, I urge the County to reconsider this high increase. Thank you.

CHAIR WHITE: Thank you, Ms. Tester.

Members, any clarification needed?

COUNCILMEMBER COCHRAN: Chair. Chair.

Ms. Tester.

CHAIR WHITE: Yea, Ms. Tester, if you don't mind.

Ms. Cochran, go ahead.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, thank you. Nice to see you here.

MS. TESTER: Thank you.

COUNCILMEMBER COCHRAN: You mentioned something about a request for an alternative park.

MS. TESTER: Yes.

COUNCILMEMBER COCHRAN: Did you, you, and so what park was that are you asking for?

MS. TESTER: Well, ideally, it would be awesome to have Puamana Beach Park but I know that that's off the table. I mean, whatever park we would love like a, a less windier park would be, you know, the Cove or the Breakwall, even though the Breakwall is crazy and the Cove is really crazy. And, you know, kind of our allure of our surf school is to get away from the crowds so it's safer and a better experience for our customers.

So, I mean, if, if this study that was supposed to be conducted at all the beach parks like Puamana, to reconsider maybe Puamana has one more surf school, just one or two surf schools, something really limited so that a small school like mine could thrive at a smaller beach park. And, I mean, that's off the table. I think Puamana is not even being considered as a park for me. But, I would love that park.

COUNCILMEMBER COCHRAN: Okay. Well, thank you very much for your input.

MS. TESTER: Yea, thank you.

CHAIR WHITE: Any others, Members? Thank you, Ms. Tester for being here.

MS. TESTER: Okay, thank you for your time.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Cecilia Potts testifying on Committee Report 15-53, to be followed by Joseph Pluta.

(Councilmember Baisa was excused from the meeting at 12:18 p.m.)

MS. CECILIA POTTS (testifying on Committee Report No. 15-53):

Good morning, Chair White, Councilmembers. On behalf of the Maui Bicycling League, thank you for your attention to the importance of bicycle and pedestrian related infrastructure and facilities included in the first reading of Fiscal Year 2015-2016 Budget. Many of the Maui Bicycling League members submitted and gave testimony at the various island-wide budget meetings in April.

If approved without revisions, this budget is a huge step forward to making our island a more safe and friendly place for cyclists and pedestrians alike. Among the many budgeted improvements, we are pleased to see funds for the planning stages of the projects for Papa Avenue in Kahului and Waiale Road, which are part of the Central Maui Bicycle and Pedestrian Master Plan.

We applaud your work and consideration for all the bicycle and pedestrian projects included in the proposed budget. Thank you.

CHAIR WHITE: Thank you, Ms. Potts.

Members, any clarification needed?

Seeing none, Mr. Clerk.

COUNTY CLERK: Next testifier is Joseph Pluta testifying on Bill Nos. 22, 23 and 24, to be followed by Roannamarie Kauhaa.

MR. JOSEPH PLUTA [testifying on Bill Nos. 22 (2015), 23 (2015), and 24 (2015)]:

Chair White, aloha, Councilmembers, thank you again. Joseph Pluta, this time testifying as President of the West Maui Improvement Foundation. And, I was, on these three bills for second and final reading, I applaud you. I am so excited that this is on the agenda today.

I've been looking forward to this for many years; 17 years, 17 years been working on this is something that's been a very passionate objective of mine. Many of my friends are no longer with us who otherwise could have been with us had we had emergency access to medical care on West Maui.

Yesterday was Memorial Day. One of the gentlemen who I wanted to, to, I came here specifically for to honor him, to have him somehow, his name mentioned into the record. A. James Wriston III who was the President of Kaanapali Development Corporation, whom we convinced nearly 17 years ago, approximately 17 years ago, to put the land, 15 acres of land, to be donated by his company, which did not want to donate any land for our West Maui Hospital. It was a very difficult negotiation. I understand that Mr. Wriston was not being complimented by his employers for supporting our request. And, there was a lot of adversity he had to go through. And, but despite of that, he stood firm and insisted that that be done. And, were it not for that which stimulated the whole reasonableness of going forward with the idea to have a West Maui Hospital, which was financially impossible any other way at that time would not even, been in a discussion.

So, I want to commend his memory because he's no longer with us. He was in his forties and it took over two and a half hours for him after 911 before he got to Maui Memorial and he was braindead before he got there. But, his life is committed to us. I mean, his memory as a dear friend of mine and a supporter to this whole venture. None of us would be talking about this, would not be on the agenda were it not for that man. And, I want to just honor him, his memory for that. And, I want to thank

you for this day and for your always having your outstanding, continued outstanding support from the Council. Thank you very much.

CHAIR WHITE: Thank you, Mr. Pluta.

Any clarification needed, Members? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Roannamarie Kauhaa. Roannamarie Kauhaa.

Next testifier is Rick Leong. Rick Leong. Next testify.

CHAIR WHITE: You're going to pass? Yea, he's passing.

COUNTY CLERK: Next testifier is Skye Coe. Skye Coe testifying on Committee Report 15-53.

MS. SKYE COE (testifying on Committee Report No. 15-53):

Aloha and mahalo for the opportunity. I'm, I'm speaking on the bus issue and I'll also make a comment on the 3-can plan issue which I, I came in late so I haven't heard it addressed. But, I know that it's on the agenda.

As somebody who's self-employed, I can probably absorb the cost of the bus increase. But, my biggest question, because I ride the bus in Kihei, is 90 percent of the people that ride the bus are going to or coming from work. They've already had increases in their parking fees at Shops of Wailea to \$3 a half an hour for parking which is exorbitant.

People that ride the bus can't afford the increase but beyond that on a common business sense level, I don't, I can't comprehend how the increase could go up to \$60 for everybody riding the bus, with the exception of people who are low-income being able to get a discount when there's no level of bureaucracy already created to identify who is low-income and who's not.

I could possibly show that I'm low-income last year, but that doesn't mean I'm low-income this year. It varies. People's lives vary, you know. Some people need to ride the bus for a few weeks. I ride it often enough that I can justify \$25 a month, you

know, and go where I need to go. But, if it's \$60 a month and then I end up not needing to ride it as often, it just, it just doesn't make any sense.

The system we have right now addresses seniors. You can prove that you are a senior with your State ID or your driver's license. Students can prove that they're a student. I, I just don't comprehend how there's going to be a level of bureaucracy created that's on time that will enable people that need the discount to get one. I, I've not heard this mentioned or addressed.

If there is some reason for the increase, I hope that that would reflect in more stops. In Kihei we have no stop at the public library. People walk two and a half blocks. This is okay for me. I'm young and I'm healthy. But, for somebody who is in a wheelchair, a senior, or we've got inclement weather, this is not an option, you know. That's a public facility.

And, I guess the other part of the increase that affects me is that, you know, having lived here on Maui for 13 years, I'm very affected by the culture here. And, respect for kupuna, respect for the elders is so important. And, it's so prevalent in every aspect of our lives here, you know. And, to have something thrown at everybody with no discussion that disables people to continue being a part of the community in the way that is, is so valuable to everybody. I just, I don't know where the answers are going to come from, you know. So, anyway that's enough said about that.

But, and, the 3-can plan, you know, people that are using it were under the impression that it's a test for all of County, all of Maui to find out if it works. It works. You know, the garbage rate that was throw away, you know, increased, you know, to down to about 20 to 30 percent of what it was. And, then we're told that we have to pay for this service and that it's going to cost us \$30 a month.

I'm in a rental, so I can't control whether or not, you know, my landlord, you know, approves of this or not. And, the question I still have is, is the plan that's proposed right now of \$6 a month, which is seemingly acceptable, is actually going to cover everybody that's living in this, this area? So, thank you, mahalo, aloha.

CHAIR WHITE: Thank you, Ms. Coe.

Mr. Clerk.

COUNTY CLERK: Next testifier is Kamakea Ka`ahanui. Kamakea Ka`ahanui will be testifying on County Communication 15-137, to be followed by Cameo Ka`ahanui.

MR. KAMAKEA KA`AHANUI (testifying on County Communication No. 15-137):

Aloha, good afternoon, Mr. Chairman.

CHAIR WHITE: Aloha.

MR. KAAHANUI: Councilmembers. My name is Kamakea Ka`ahanui. I'm 24 years old. I am the son-in-law of Rick Leong, owner of Hawaiian Style Surf School. I'm addressing the Council today regarding the CORA permit fee and I am opposed to the suggested increases. An increase of 150 percent for these park permits will greatly hurt my family's business that has been operational for over 20 years.

What scares me the most is that currently the smallest proposed fee is a 150 percent increase and the largest proposed fee is up to 600 percent increase. However, with the demanding cost of living and a world that is seemingly surrounded by corporate competitors, these fees might even go higher to the point where we as the next generation of our Hawaiian Style Surf business may have to stop and find jobs elsewhere.

Growing up in our, our Hawaiian islands, we are surrounded by beautiful oceans and majestic mountains that we have, that have been providing us food and shelter for our families for generations. But, the main point is that it's been with little to no-cost. We consider this a privilege but it should not be a burden.

So, my proposal is that a smaller increase be administered, and over a period of time be increased to a reasonable amount. And by doing this, you'll ensure job security, not just now but in the future, family unity and lokahi in our communities. Again, my name is Kamakea Ka`ahanui. I'm the son-in-law of Rick Leong, owner of Hawaiian Style Surf School. I am proposed [sic] of this CORA permit fee increase. Thank you so much for your time and attention.

CHAIR WHITE: Thank you, Mr. Ka`ahanui.

Mr., I'm sorry, Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Ka`ahanui. You said you were testifying on 15-137?

MR. KA`AHANUI: Yes, sir.

COUNCILMEMBER COUCH: So, you're opposed to the, even the one, the 1500.

MR. KA`AHANUI: Yes, sir.

COUNCILMEMBER COUCH: Okay, thank you.

MR. KA`AHANUI: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Cameo Ka`ahanui.

MS. CAMEO KA`AHANUI (testifying on County Communication No. 15-137):

Hi there, good afternoon. My name is Cameo Ka`ahanui. I'm here with my family. You heard my mom and dad, Rick and Renee Leong, testify earlier. I'm the daughter of Rick and he's the owner of Hawaiian Style Surf School. My husband spoke before me. I'm addressing the Council today regarding the CORA permit fee and I am opposed to the suggested increase.

The issue is important to me because it has negative effects on my livelihood as well as my entire family. To put this into perspective, I'll use an illustration that I'm sure all of us can relate to. Average gas prices right now are around \$3.17. If we were to pull up to a gas station tomorrow and the price is now \$7.93, that would be really hard to deal with. I don't know about you guys, but I would be, I would have to buy a bike. I would not be able to drive.

This is a 150 percent increase. This is the lowest of the increases that were suggested. So, we don't have another option. I can't go buy a bike. When it comes to my business, if I can't afford to buy a permit, we cannot continue business. So, that's one reason I'm opposed.

Also, it's important because I believe that small family run businesses, like my own, are the backbone to our community. The suggested increases, if they are passed, would have some major negative effects on my family. As a community, I believe that we want to see improvements to our parks and our beaches. But, we wouldn't expect all of these improvements to be done in just one day.

Similarly, please don't expect this, all of this money to be given all at once. Please give us increases that are gradual and reasonable. And doing so, that you would show your support of small family operated businesses like my own. We are not asking you to cater your decisions to us, but we would appreciate if you consider us and the effects of the decision you make, and how would, how it would play out with us.

Again, my name is Cameo Ka`ahanui. My father is the owner of Hawaiian Style Surf School. I'm opposed to the suggested CORA permit increases. And, thank you for your time and letting me speak.

CHAIR WHITE: Thank you, Ms. Ka`ahanui.

Members, any questions for the testifier? None, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there are no further individuals signed up to provide testimony in the chamber. If there's any individual in the Council chamber or in the District Offices that would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or District Office phone at this time.

Hana Office, are there any additional testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Lanai Office are there any additional testifiers?

MS. FERNANDEZ: There is no one waiting to testify on Lanai.

COUNTY CLERK: Molokai Office, are there any additional testifiers?

MS. ALCON: There's no one here on Molokai waiting to testify.

COUNTY CLERK: Mr. Chair, I, I see Ms. Robbins standing in the back of the room.

CHAIR WHITE: Ms. Robbins, did you want to provide testimony? Pardon?

Please proceed.

MS. ROSEMARY ROBBINS (testifying on Committee Report Nos. 15-52 and 15-53):

Good afternoon, everybody. I'm not too sure what happened to that form. I know I filled it out. Maybe it's somewhere among the other 80 that are back there.

This has been one of the heftiest collections that I have gone through over the years that I've been testifying. And, I'm here today particularly for 15-52 Committee Report and 15-53. Both of them having to do with water.

I, among other volunteers in the community, dealt with some of this back when the Upcountry water was diagnosed as contaminated. And, we went through three adaptations of applications to that water before we finally got it safe enough to, to have it be safe enough.

So, when I look in here on 15-52 and it's talking about expanding infrastructure for the County sewer and wastewater collection system, that's water that's already been through one of its lifespans. And, we can make that have other lives. So, we need to do it and do it well.

It also speaks here about debt service. We keep borrowing money and then it costs us to be able to pay back on that money. And, one set of the papers that I went through yesterday is pages 44 and 45. And, I was only halfway through it when I came across these. But, this is debt service for the water fund; \$5,761,368 going into the cost for satisfying those debts. That's the money. It doesn't do anything for the health of the water and for the people who are in the water. This is only part of a solution.

And, it's something that the first Federal judge has for the State of Hawaii, in the State of Hawaii for Federal water that has said Maui has brought this upon its own. It failed to deal with 44 years ago, the accumulated since then, problems from not dealing appropriately with the Clean Air Water Acts. We need to do better. So, expensive, but not cleaning up the problem when we deal with that.

So, the other one that I wanted to speak to today is for item 15-53. Several things in there we have to watch out for. And, there's testimony given by folks here. The wording in this keeps saying, "not to exceed" whatever the amount they were going to be dealing with, in there, moneywise. And, yet, we've just been through this stuff up on the West Side where we went from \$250,000 for additional attorneys to defend us from the absence of compliance with the Federal Clean Air and Clean Water Acts. And, now it's up to 1,750,000 for those attorney's fees from what I, last I heard. So, I know it's gone at least that high.

And, when we talk in here about lapsed bonds in 15-53. If there isn't careful planning on saying how much we need when we apply for these revolving funds, we're going to end up either short by having money left over. And if the money is left over and is not applied again for the well-being of the community, who stood to gain on that? That question keeps coming to me from people in the community. Where did the money go?

And, when we dealt on the safe drinking water fund, addressed years ago, that was in the early 2000's. When we were dealing with that, we kept asking about the expenditure of the half million dollars that we got. And it was the County who did the financial monitoring on that. And we never got the extensive answers that we did keep asking. Where was the rest of that money?

I must say in terms of compliments, the Budget and Finance Committee has worked very hard to get us to where we were on this date today. 26 meetings, I counted that you folks had dealt pretty much 24 hours it seems to me a day, going through that to make sure that there are all stones overturned. So, whatever might be things that were overlooked in the past, have an opportunity through the dedication of the folks that worked with that. So, thank you very much for that.

Also, I went over the use of wells, keeping in mind that we have privately owned wells as well as the County owned wells. So, our Water Department has some responsibility to see how effectively that's going. And, thank you for not having H'poko Wells in use right now. Thank you again. So, two good thoughts to end with and lots of other stuff that still needs to be done. Thank you.

CHAIR WHITE: Thank you, Ms. Robbins.

Members, any need for clarification? Seeing none, thank you for being here this morning.

MS. ROBBINS: You're welcome.

CHAIR WHITE: I guess now, it's this afternoon.

Mr. Clerk. It appears we have, Mr. Cadiz would like to provide testimony. Please proceed.

MR. ALAN CADIZ (testifying on County Communication No. 15-137):

My name is Alan Cadiz and I'd just like to testify on 137. I know there's going to be discussion later about the value of CORA and the value of what it means for us to ingress and egress the parks. I think there might be some thinking that the fee should be high because we use the parks. Well, our permit is strictly to ingress, egress the park to get to the water. We have thirty minutes to set up and get in.

But, to the value that, of the service we provide, I want to use an example of a hiking company here in Maui. I think they're pretty successful. They have a lot of vans. They take hikers out into the wilderness. And, I thought wow, without them, how many hikers would get lost? How much fauna would be trampled? How many times would the rescue helicopter have to go rescue people because they didn't know better about flashfloods? You know, how many tourists would not know the dangers of the, of the EMI ditches?

How many people would wash out to Kahoolawe? I mean, how many people would get rescued, you know, on their standup paddleboard? How many kayakers would get blown out to sea? How many surfers at Ukumehame don't know about the offshore winds that come up suddenly? How many more lifeguards would the County have to hire to cover what we already do at no charge to the County?

I think there's 10 towers and 20 lifeguards, or 2 towers, 2 lifeguards at each tower. You know, the, the beaches that we're at have no lifeguards. And, I've rescued countless people at Kanaha, you know. Long before the lifeguards were there I've pulled in a lot of people. And, I had people tell me, you saved my life. And, I said, nah, it was nothing. You know, but to them maybe it was something. That's just me.

And, I know what it's like to be rescued. In, in November I broke my back surfing Hookipa. And, I was fortunate enough to be surrounded by most of the Paia Fire Station. They're all surfers and buddies of mine. And, they drug me in. They were very professional. I'm standing here today because of them.

And, I just want you to know that, that we're out there pulling not just for our customers, but for everybody, and for the environment. You know, who's going to be stewards of the reef? Who's going to stop the divers and snorkelers from taking just one souvenir? And, if everybody did that, we wouldn't have a resource. So, when you, when you say, you know, we are an asset and we should be treated like that. That's all. Thank you.

CHAIR WHITE: Thank you, Mr. Cadiz.

Members, any clarification needed? Seeing none, thank you for your testimony.

MR. CADIZ: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's one additional individual wishing to provide testimony.

CHAIR WHITE: Please proceed to the podium.

MS. RACHEL DOMINGO (testifying on Committee Report No. 15-53):

I'll be quick. It just took me a couple weeks to get up the courage to come talk in front of people. So, thank you for your attention, Chair and Councilmembers. My name is Rachel Domingo. I represent Maui Dreams Dive Company, a business we opened here in 1999. We employ about 10 to 15 people just depending on the time of year.

Just a couple general points I want to make. 600 percent, my gosh. That, that type of increase would be devastating to our business. It would result immediately and directly in layoffs to our beloved employees. There's no other way to say it. We're just, small businesses are always like families. That affects everybody. It just creates a ripple effect in the community. The better small businesses do, the better we all do. We, we pay higher GET taxes, you know, everything just comes around.

Aside from sharing our love of the ocean with residents and visitors alike, we're also the County's first line of defense at the beach parks we're at. I know other people have said this, but it's so true. One of our instructors, two years ago, administered CPR and emergency oxygen to a snorkeler at Ulua Beach. Unfortunately, I don't think the person made it, but we were there with the supplies and the training to do it and, and the initiative and the knowhow and the willingness.

So, we also know ocean conditions. Unfortunately, for the last few days, our business being scuba, we've been telling people to stay out of the water and just kind of saying no to everybody who walks into our shop. But, that's because we know the dangerous surf conditions and low visibility, and what comes with that.

Buying up permits, there's no such thing. I just wanted to address that cause I've heard it in some of the meetings and testimony previously. As the Parks Department changed the rules, one permit morphed into multiple permits, giving the impression to some people that we all of a sudden accumulated a bunch of permits when really we had the same permits we'd always had. It just went from, the numbers looked like they changed, but it was the same thing.

As an earlier testifier said, we go through the permit process every year. We sign indemnification agreements to protect the County. We name, we name them on our insurance policies. The permit process requires that we obtain State and Federal tax clearances, submit safety plans, maintain CPR and first aid certifications, and more. I mean, we're, we're into this. We're, we're responsible citizens. We're invested. We're not fly by night people here.

We know there are other people out there who want to obtain permits and fulfill their dreams to start small businesses. We want that for them too. That's how we, we got here.

Want to make sure Councilmembers are aware that the Parks Department could in fact issue permits right now. There are permits and beach parks available. That's definitely a way to up the income. These are opportunities that should be considered.

In conclusion, thank you for your time and attention. I'd like to remind you that CORA operators are not opposed to a fee increase, it just needs to be one that's, that's workable for everybody. We'd like the opportunity to work with you on this. Mahalo.

CHAIR WHITE: Thank you very much.

MS. DOMINGO: Oh look at the time.

CHAIR WHITE: Members, any need for clarification? Seeing none--

MS. DOMINGO: Thank you.

CHAIR WHITE: --thank you for your testimony.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's no other individuals in the District Offices or the chamber wishes, who wishes to provide testimony.

CHAIR WHITE: Thank you.

Mr. Clerk, I know we've received some testimony. So, Members without objection, we'll enter the testimony in for the record.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM THE FOLLOWING WERE MADE A PART
OF THE RECORD OF THIS MEETING:

1. Anthony Borge, Chair, Small Business Regulatory
Review Board, State of Hawaii;
2. Helen Barrow;
3. Clark Johnson;
4. Patricia Cadiz, Hawaiian Sailboarding Techniques, Inc.;
5. Alan Cadiz, Hawaiian Sailboarding Techniques, Inc.;
6. Robin Kaye;
7. John Ornellas;
8. Daniel Kanahele;
9. Vivian Lindsey;
10. Gail Riener;
11. Walle Landenberger;
12. David Goode, Director of Public Works; and
13. Eric Nakagawa, Wastewater Reclamation Division Chief,
County of Maui.

CHAIR WHITE: And with that, no objections, we will close public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: And, Members, we will return to continue this meeting at 2:15. So, until then, we are in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:46 P.M., AND WAS
RECONVENED AT 2:15 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBERS
BAISA, COCHRAN, AND VICTORINO, EXCUSED.)

CHAIR WHITE: Maui County Council will come back to order. Members, we will proceed with the remainder of our agenda.

And, Mr. Clerk, will you please proceed.

COUNTY CLERK: Mr. Chair, proceeding with minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of March 20, 2015 and April 7, 2015, were presented at this time.

(Councilmember Cochran returned to the meeting at 2:15 p.m.)

CHAIR WHITE: Thank you.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

I MOVE TO APPROVE THE COUNCIL REGULAR MEETING
OF MARCH 20, 2015, AND THE REGULAR MEETING OF
APRIL 7, 2015.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion by Vice-Chair Guzman and a second by Member Couch.

VICE-CHAIR GUZMAN: No further discussion.

CHAIR WHITE: Thank you. Any other discussion on the minutes, Members? Seeing none, all those in favor of the motion please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND VICTORINO.

CHAIR WHITE: Measure passes. Seven "ayes", zero "noes", and two "excused"; Members Baisa and Victorino.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 15-50 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 28 (2015), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2015, ECONOMIC DEVELOPMENT REVOLVING FUND", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 14-223, from the Economic Development Director, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT COMMITTEE REPORT 15-50,
WITH ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion by Mr. Hokama and a second by Mr. Couch.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, your Committee reviewed the request that was sent by Mayor Arakawa regarding the use of the Economic Development Revolving Fund. This afternoon, your Committee is recommending adoption of the four components that make this one request.

Your Committee did address its concern regarding the proposal that was presented to the Committee. The Committee had concerns of the all or nothing type of consideration that it had to deal with regarding the four different types of requests of the four different companies.

These will be more of a grant. So, this is, funds will be outgoing and should this pass, it would just leave approximately 130,000 left remaining in the fund. Thank you.

CHAIR WHITE: Thank you.

Members, other discussion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I appreciate the Committee's response on this. And, I, I do agree with Mr. Hokama about the needing it to be separate.

And, I also would suggest that if, if this comes up again in, in whichever Committee, that we consider doing it to an outside entity, having an outside entity take care of it, take the politics out. Give, assign a commission like MEDB or have them part of it. A group of people, a commission to handle this, like it's done in other municipalities or counties. And, it appears to be a very effective way to handle a situation like this.

I have no concerns over the actual amount we're giving and, and what we, what we're investing into our economy because I think it's going to bring back many fold. So, I'm, I'm in full support of this. But, we do need to tweak it. So thank you.

CHAIR WHITE: Thank you.

Any further comments, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND VICTORINO.

CHAIR WHITE: Measure passes. Seven "ayes", zero "noes", and two "excused"; Members Baisa and Victorino.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILL NO. 28 (2015).

COMMITTEE REPORT

NO. 15-51 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 29 (2015), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2015, ECONOMIC DEVELOPMENT REVOLVING FUND", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 15-121, from the Budget Director, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, MOVE THAT COMMITTEE REPORT 15-51, WITH
ITS RECOMMENDATION, BE ADOPTED.

COUNCILMEMBER CRIVELLO:

I SECOND.

CHAIR WHITE: We have a, a motion by Mr. Hokama, and a second by Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, your Committee vetted this request by Sea Link of Hawaii which operates the Molokai Ferry. Your Committee was supportive to allow the entity a few more months reprieve in order to get its business plan squared away, and as well as trying to get a definite response from the Public Utilities Commission regarding their petition to adjust their schedule to meet their changing economic dynamics.

This would provide them with approximately two months of time to get their business plan in order. And, again, as we see in yesterday's paper, the President has his challenges with a changing environment regarding the airlines seat capacity to and from Molokai. So, we look hopeful that they'll be able to come up with a viable business plan in the near future. Thank you.

CHAIR WHITE: Any further discussion?

Ms. Crivello.

COUNCILMEMBER CRIVELLO: No, I await what the Sea Link people, what Mr. Jung's actual plans will be, so that it can be beneficial to serve our community. You know, perhaps the commuting of employment in Lahaina is not as it was. But, accordingly he has 25 to 30 visitors per day that utilizes his ferry.

And, for our island, it's also to, for me personally, it's the, to prioritize the needs of our school participation in the MIL and different sort of academics, as well as athletic programs. So, hopefully he can come up with the true assessment of how he will be able to sustain his ferrying back and forth. But, I would like to thank the Committee for the support.

CHAIR WHITE: Thank you. Any further, excuse me, any further discussion, Members?

Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND VICTORINO.

CHAIR WHITE: Measure passes. Seven "ayes", zero "noes", and the same two Members "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILL NO. 29 (2015).

(Councilmember Victorino returned to the meeting at 2:23 p.m.)

COMMITTEE REPORT

NO. 15-52 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 31 (2015), entitled "A BILL FOR AN ORDINANCE TO ESTABLISH A COUNTYWIDE SEWER CAPITAL IMPROVEMENT RESERVE FUND", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That Bill 30 (2015), entitled "A BILL FOR AN ORDINANCE TO ESTABLISH AN UPCOUNTRY WATER SYSTEM EXPANSION CAPITAL IMPROVEMENT RESERVE FUND", be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT COMMITTEE REPORT 15-52,
AND ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER VICTORINO.

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Hokama with a second from Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this would be enabling legislation that the Charter allows the Council to create in its Maui County Code. This will be in anticipation of what we forecast to be very large to be financed projects that we are going to need to do in the near future.

Your Committee expressed concerns of not having the ability of having those Federal matching dollars in the future. We are seeing how Congress is approaching the reauthorization of surface transportation. Currently, there is no money in their transit for bus replacements in this consideration that is currently before Congress.

I do not anticipate to have them provide 80 percent of the funding we need to maintain, improve, and expand our sewer systems. And, therefore, under public law, Congress has passed it where the users shall pay for those improvements. And, the, this County is just preparing itself for a financial impact that will take years to prepare for. But, this would be a first step in ensuring that we are financially able to respond when the time arises. Thank you.

CHAIR WHITE: Anymore discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes. Eight "ayes", zero "noes", one "excused"; Ms. Baisa.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's a request from Mr. Hokama regarding County Communication 15-137 *[sic]*.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Chairman, actually at this time, I would request the County Clerk to bring up County Communication 15-135 as it relates to the Fuel Tax Rates and the Vehicle Weight Tax proposals attached to said communication.

Mr. Clerk.

COUNTY COMMUNICATION

NO. 15-135 - RIKI HOKAMA, CHAIR, BUDGET AND FINANCE COMMITTEE,
(dated May 15, 2015)

Transmitting the following:

1. A proposed resolution entitled "ADOPTING THE FUEL TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2015"; and
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 3.24.030, MAUI COUNTY CODE, RELATING TO MOTOR VEHICLE WEIGHT TAX".

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

MR. CHAIRMAN, FOR COUNCIL TO TAKE ACTION AND HAVE THIS BEFORE YOU TODAY, I WOULD, I MAKE A MOTION TO WAIVE COUNCIL RULES REQUIRING COMMITTEE REFERRAL AND RECOMMENDATION REGARDING COUNTY COMMUNICATION 15-135.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: Okay, we have a motion to waive the, the committee referral and report by Mr. Hokama, with a motion from Mr. Victorino. Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: No further discussion, Chairman.

CHAIR WHITE: Okay. Any discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes. Eight "ayes", zero "noes", and Ms. Baisa, "excused".

COUNCILMEMBER HOKAMA: Mr. Chairman.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: At this time I move, Chairman, I'm going to take this in two, two separate motions because one is a reso and one is a bill for an ordinance.

SO WITH NO OBJECTION BY THE MEMBERS, I, AT THIS
TIME MOVE FOR THE ADOPTION OF THE PROPOSED
RESOLUTION ENTITLED "ADOPTING THE FUEL TAX RATES
FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2015".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion by Mr. Hokama and a second by Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this would just allow the body today to have this part, to be incorporated as part of the Fiscal Year 2016 Budget documents.

CHAIR WHITE: Any further discussion, Members, on the fuel rates, fuel tax rates? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", and one "excused".

COUNCILMEMBER HOKAMA: Mr. Chairman.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

I MOVE THAT "A BILL FOR AN ORDINANCE AMENDING
SECTION 3.24.030, MAUI COUNTY CODE, RELATING TO
MOTOR VEHICLE WEIGHT TAX" PASS FIRST READING,
AND BE SUBJECT TO PRINT, AND FILING OF COUNTY
COMMUNICATION 15-135.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Hokama and a second from Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Again, Chairman, this would allow us to have this be part of the Fiscal Year 2016 Budget, as well as any future references. All of this weight . . . tax considerations will be part of the annual budget document.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", one "excused".

And, we're back to Mr. Hokama, I believe.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

If the Clerk would now bring up Committee Report 15-53 please, Mr. Chairman.

COUNTY CLERK: Mr. Chair.

CHAIR WHITE: Yea.

COMMITTEE REPORT

NO. 15-53 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 33 (2015), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR LOANS FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER PROJECTS, FISCAL YEAR 2016 BUDGET ORDINANCE", be PASSED ON FIRST READING and be ORDERED TO PRINT;

2. That Bill 34 (2015), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR THE IAO WATER TREATMENT FACILITY REPLACEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, FISCAL YEAR 2016 BUDGET ORDINANCE", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That Bill 35 (2015), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF TWENTY-FOUR MILLION SEVEN HUNDRED EIGHTY-TWO THOUSAND THREE HUNDRED SEVENTY-TWO DOLLARS (\$24,782,372) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; AND PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS", be PASSED ON FIRST READING and be ORDERED TO PRINT;
4. That Bill 36 (2015), entitled "A BILL FOR AN ORDINANCE DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI", be PASSED ON FIRST READING and be ORDERED TO PRINT;
5. That Bill 37 (2015), entitled "A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2016", be PASSED ON FIRST READING and be ORDERED TO PRINT;

6. That Bill 38 (2015) entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016", be PASSED ON FIRST READING and be ORDERED TO PRINT;
7. That the matter relating to the reporting of unpermitted building improvements be REFERRED to your Budget and Finance Committee;
8. That the matter relating to penalties for violations of home exemption requirements be REFERRED to the Budget and Finance Committee;
9. That the matter relating to the County's investment policy be REFERRED to your Budget and Finance Committee;
10. That the matter relating to tax classifications for transient accommodations be REFERRED to the Budget and Finance Committee;
11. That the matter relating to the Post-Employment Obligations Fund be REFERRED to your Budget and Finance Committee;
12. That the matter relating to an audit of the Maui Interscholastic League's use of County park facilities be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;
13. That the matter relating to agricultural inspectors for County programs be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;
14. That the matter relating to Waiehu Municipal Golf Course rates and revenues be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;
15. That the matter relating to the Molokai Diversified Agricultural Revolving Loan Program be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;
16. That the matter relating to the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;

17. That the matter relating to the Ocean Recreational Activity Fund be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;
18. That the matter relating to the Economic Development Revolving Fund be REFERRED to the Economic Development, Energy, Agriculture, and Recreation Committee;
19. That the matter relating to an audit of subsidies for public transit services provided by the Department of Transportation be REFERRED to the Housing, Human Services, and Transportation Committee;
20. That the matter relating to an audit of the Department of Transportation's Federal reporting requirements be REFERRED to the Housing, Human Services, and Transportation Committee;
21. That the matter relating to community partnership grants be REFERRED to the Housing, Human Services, and Transportation Committee;
22. That the matter relating to the Housing Interim Financing and Buy-Back Revolving Fund be REFERRED to the Housing, Human Services, and Transportation Committee;
23. That the matter relating to the Rental Housing Development Revolving Fund be REFERRED to the Housing, Human Services, and Transportation Committee;
24. That the matter relating to the Animal Management Revolving Fund be REFERRED to the Housing, Human Services, and Transportation Committee;
25. That the matter relating to the Affordable Housing Fund be REFERRED to the Housing, Human Services, and Transportation Committee;
26. That the matter relating to the Kaunoa Senior Services Leisure Program Activities Revolving Fund be REFERRED to the Housing, Human Services, and Transportation Committee;
27. That the matter relating to green waste services be REFERRED to the Infrastructure and Environmental Management Committee;
28. That the matter relating to the Waiale Road Extension project be REFERRED to the Infrastructure and Environmental Management Committee;

29. That the matter relating to the Naval Air Station Kahului Airport (NASKA) Sewage Pump Station Fund be REFERRED to the Infrastructure and Environmental Management Committee;
30. That the matter relating to the Plan Review, Permit Processing, and Inspection Revolving Fund be REFERRED to the Infrastructure and Environmental Management Committee;
31. That the matter relating to the Highway Beautification and Disposal of Abandoned Vehicles Revolving Fund be REFERRED to the Infrastructure and Environmental Management Committee;
32. That the matter relating to the Construction Plan Review Revolving Fund be REFERRED to the Infrastructure and Environmental Management Committee;
33. That the matter relating to the Countywide Sewer Capital Improvement Reserve Fund be REFERRED to the Infrastructure and Environmental Management Committee;
34. That the matter relating to seawall construction be REFERRED to the Planning Committee;
35. That the matter relating to the fee structure for after-the-fact permits be REFERRED to the Planning Committee;
36. That the matter relating to records management and electronic documents be REFERRED to the Policy and Intergovernmental Affairs Committee;
37. That the matter relating to a performance audit of the Office of Council Services be REFERRED to the Policy and Intergovernmental Affairs Committee;
38. That the matter relating to an audit of the Department of Fire and Public Safety be REFERRED to the Policy and Intergovernmental Affairs Committee;
39. That the matter relating to the Office of the Mayor's public information office and standards for media statements issued therefrom be REFERRED to the Policy and Intergovernmental Affairs Committee;
40. That the matter relating to the Fire Hazard Removal Revolving Fund be REFERRED to the Policy and Intergovernmental Affairs Committee;

41. That the matter relating to the Liquor Education Fund be REFERRED to the Policy and Intergovernmental Affairs Committee;
42. That the matter relating to the Plan Review, Processing, and Inspection Revolving Fund (Fire) be REFERRED to the Policy and Intergovernmental Affairs Committee;
43. That the matter relating to the Emergency Fund be REFERRED to the Policy and Intergovernmental Affairs Committee;
44. That the matter relating to the Alarm System Revolving Fund be REFERRED to the Policy and Intergovernmental Affairs Committee;
45. That the matter relating to watershed protection grants be REFERRED to the Water Resources Committee;
46. That the matter relating to electronic billing statements for water consumers be REFERRED to the Water Resources Committee;
47. That the matter relating to the Upcountry Water System Expansion Capital Improvement Reserve Fund be REFERRED to the Water Resources Committee;
48. That County Communication No. 15-41, from Council Chair Mike White, be FILED; and
49. That County Communication No. 15-103, from Mayor Alan M. Arakawa, be FILED.

COUNCILMEMBER HOKAMA: Chairman.

CHAIR WHITE: Yes.

COUNCILMEMBER HOKAMA: If I may, and my apologies to Mr. Clerk. I would like to take this in multiple motions, Mr. Chairman.

SO, IF YOU WOULD, I WOULD LIKE TO MAKE A MOTION FOR THE FIRST FIVE ITEMS THAT THE CLERK READ, AND THEN TAKE A SECOND MOTION FOR THE NUMBER 6 AND THE REFERRALS.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

COUNCILMEMBER HOKAMA: Thank you. And, my apologies again to Mr. Clerk. This way we can address the concerns that we've received; a lot of testimony and communications on, which is of course the adjustments to the bus transit fare component. That would be part of the second motion, Mr. Chairman.

SO, AT THIS TIME I'D LIKE TO MAKE A MOTION FOR THE FOLLOWING: THE FIRST FIVE ITEMS THAT THE CLERK READ WHICH WOULD BE THE BILL FOR, AUTHORIZE THE MAYOR TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS TO FINANCE WASTEWATER PROJECTS FROM THE STATE OF HAWAII WATER POLLUTION CONTROL REVOLVING FUND LOANS WHICH IS NO. 16 KIHEI PUMP AND FORCE MAIN NOT TO EXCEED 4.4 MILLION; HAWAIIAN HOMES FORCE MAIN REPLACEMENT NOT TO EXCEED 2.24 MILLION; AND THE LAHAINA WASTEWATER RECLAMATION FACILITY MODIFICATIONS, STAGE 1A NOT TO EXCEED 12.5 MILLION DOLLARS; 2) FIRST READING OF A BILL TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT TO FINANCE IAO WATER TREATMENT FACILITY REPLACEMENT PROJECT FROM THE STATE OF HAWAII DRINKING WATER TREATMENT REVOLVING LOAN FUND NOT TO EXCEED \$15 MILLION; 3) FIRST READING OF A BILL TO AUTHORIZE THE ISSUANCE OF \$24.782372 MILLION OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS; 4) FIRST READING OF A BILL TO REAUTHORIZE USE OF LAPSED BOND PROCEEDS OF ONE MILLION DOLLARS FOR THE HALEAKALA HIGHWAY INTERSECTION IMPROVEMENTS AT MAKAWAO AVENUE; AND 5) FIRST READING OF A BILL TO SET FORTH THE CAPITAL PROGRAM FOR FISCAL YEAR 2016 THROUGH 2021.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have the motion from Mr. Hokama and a second from Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. First, I want to say Mr. Chairman, that I appreciate the hard work of the Committee Members. I want to thank the Committee staff who spent a lot more hours than the Members after hour sessions to ensure that we're updated, we're balanced, and we're able to continue and complete the work of the Committee's responsibilities.

I'd like to thank Mr. Baz, the Budget Director, for his assistance to the Committee, providing us with timely responses and his ability to get the departments be able to provide us with updated information prior to final decision making. And, as well as Mr. Wong and his staff, for allowing us to ensure the legislation is appropriate and pass legal standings.

So, Mr. Chairman, as we all know Mayor Arakawa presented to us a budget of slightly under \$700 million for the Fiscal Year 2016 on March 24, 2015. Your Committee extensively reviewed the proposed budget from March 31, 2015 through April 24 of 2015. Your Committee began decision-making on April 27, and we completed our task on May 4 of 2015.

Again, Mr. Chairman, your Committee took very seriously its responsibility to recommend to this Council a budget that takes into account very real limitations on resources, the need to pay for required services, and provide for a growing community, and a desire to help not hinder, the County ohana.

Your Committee traveled to eight residency areas to receive public testimony on the Mayor's proposed budget. In addition 461 responses to your Committee's survey on spending priorities were also received.

Having listened to the public, your Committee appropriated monies from the Open Space Fund to acquire hundreds of acres along the coast in Haiku near the surf spot known as Jaws at Peahi. And, also appropriated funding for the acquisition of the Kula Community Center land and gym.

Your Committee also recommended \$1.2 million be appropriated to eradicate Coqui Frog. Your Committee also continued funding for the containment and removal of Miconia and for additional watershed protection.

The Council held a public hearing on Real Property Tax rates on April 29 and reconvened on May 15, 2015. Public hearings for the Motor Vehicle Weight Tax and Fuel Tax were also held on May 15 of this year.

Your Committee, Mr. Chairman, is recommending decreasing the Mayor's proposed Fiscal Year 2016 Budget by \$79 million or 11.3 percent. Operations reduced by 13.5 million, and Capital Improvement Projects were reduced by \$65.7 million. Borrowings were reduced by \$65 million or approximately 52 percent.

Your Committee's proposal for Fiscal Year 2016 Budget of 621 million represents an increase of 17 million from the Fiscal Year 2015 Budget. But, it's significant less than the Mayor's proposed \$699 million budget.

Your Committee recommended appropriations to two Capital Improvement Reserve Funds: 1) \$868,567 to the Countywide Sewer Capital Improvement Reserve Fund; and 2) five million for the Upcountry Water System Expansion Capital Improvement Reserve Fund.

A significant change to the Fiscal Year 2016 Budget, Mr. Chairman, is the new restriction to "A", "B" and "C" accounts. Your Committee feels that to enhance fiscal discipline and increase public transparency and accountability, your Committee recommended the revisions to Section 7 of the General Budget Provisions to restrict disbursements for each program by category of use. "A" category for salaries, premium pay, or reallocation pay. "B" category for operations or services. And, "C" category for equipment.

This again, your Committee feels will provide further fiscal discipline as well as the public's need for increased transparency and accountability. The certified net real property tax revenues were lower than the revenues estimates in the Mayor's proposed budget by \$5 million. All real property tax rates were reduced to partially offset the increase in net taxable property valuations.

Your Committee, Mr. Chairman, supported the Mayor's proposed fuel tax rate increases and motor vehicle weight tax rate increases.

Your Committee did not support the proposed increase to water system development fees or increases to water service rates. I can tell you, Mr. Chairman, that our sister counties in the . . . have done accordingly. Iowa has raised it ten cents a gallon to take care of their highway fund needs and their needs to improve their capital improvement opportunities.

In an effort to make Waiehu Municipal Golf Course self-supporting and to increase revenues, your Committee is recommending increased fees for all categories and establishing a twilight, nine-hole, and weekday student rates for the mix of golfers utilizing our facilities.

Your Committee has recommended two real property tax division compliance specialist with the potential to generate approximately \$5 million to increase enforcement efforts based on actual property use.

Funding for most non-profits generally remain at the same level as compared to Fiscal Year 2015.

In an attempt to revitalize Wailuku Town, Mr. Chairman, your Committee has supported and approved funding for the Wailuku, Wailuku Municipal Parking Lot Project, a Wells Park Masterplan and the Maui Redevelopment Agency's Clean and Safe Program.

Among other Capital Improvement Projects, your Committee supported the Iao Water Treatment Facility Replacement, County park system improvements through all nine districts, sewer modifications and rehabilitation, road resurfacing and pavement preservation, as well as numerous specified road improvements.

Your Committee expressed concern over the number of special purpose revenue funds established. Your Committee recommended each of the special purpose revenue funds be referred to the appropriate standing Committee for a recommendation on whether the fund is serving its purpose and should be maintained or allowed to sunset.

At this time, Mr. Chairman, if there are no objections, I would also like to allow the Budget and Finance Committee staff to make appropriate, non-substantive revisions to the Fiscal Year 2016 Budget as it relates to the EDRF which is the Economic Development Revolving Fund, Members, to update the balances of the fund based on the approval of the projects described in Committee Reports 15-50 and 15-51.

Before I conclude my remarks at this time, Chairman, one thing that, you know, we did at the beginning of the budget deliberations for the Committee, and I bring this up this again, I highlight for our community, a report that we made which was the 2016 Budget revenues versus expenditures by Council district, by Council district. This is public information. Out of the nine Council districts, seven are subsidized. The only two Council districts that have, make more money than it takes in currently is South Maui and West Maui. Decades ago, 60's, 70's, part 80's. Central Maui basically carried the count. Times have changed.

But, I bring this into account, Mr. Chairman, because I don't know if there's a misconception of how rich or poor this County really is. We are financially stable. We are able to pay our bills. But, like anything else, Mr. Chairman, I thought, you know, I believe we have had appropriate questions not only on what we provide funding support for. But, I can tell you in, you know, I, I think we're doing the right thing cause we, I get a lot of questions when I go home. I get a lot of questions when I leave this facility.

And, I do not underestimate the validity of all those who give us testimony, Chairman. But, I can tell you one thing that is being appreciated by our community of this body, it's the questioning of what is fair for those that provide the subsidy to fund programs and operations in this County. Cause I believe we have a dwindling middle class base. And, without this base, without the subsidy, there is no programs to fund and provide in the future because who's going to pay for it? Who is going to pay for it?

I get a lot of requests, Mr. Chairman, but nobody's telling me how to pay for this. And, the concern of subsidy is at all levels of government. The Feds are doing its best to cut. They're willing to even cut the tax interest on mortgage payments for homeowners; it's on the table. That may not be a ability for us to write it off on our taxes in the near future.

The State is looking at further reductions. Look at how we treat our health program. The County's in no different situation, Mr. Chairman. We have a lot of need and not enough money to pay for everything. And, when we wipe out the class that providing the subsidy, they'll be no programs. And, so I think we are asking every questions, people are asking us the right questions. It's a difficult time but this County is not broke, but we're not so affluent that we cannot ignore the tax base and what they're saying to us at this time either, Mr. Chairman. Thank you.

CHAIR WHITE: Thank you. Further comments, Members?

COUNCILMEMBER COUCH: Mr. Chair.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you. Just a, a point of clarification. I know Mr. Hokama spoke about Section 7, the "A", "B", "C" accounts, and EDRF, and some EP's. We're not voting on that at this time, right? We're just doing capital improvements and above?

COUNCILMEMBER HOKAMA: We're doing the first five bills.

COUNCILMEMBER COUCH: First five. So, so all the comments about those are not being voted upon right now? EDRF changes, and the EP's, and the "A", "B", "C"? That's just a point of clarification. Is that right?

COUNCILMEMBER HOKAMA: That is--

CHAIR WHITE: That's my understanding.

COUNCILMEMBER HOKAMA: --that is part of the motion before the body.

COUNCILMEMBER COUCH: I believe the, the "A", "B", "C" accounts and EDRF is in Section 6, is it not?

COUNCILMEMBER HOKAMA: Recess, Chairman.

CHAIR WHITE: Brief recess at the call of the Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 2:47 P.M., AND WAS RECONVENED AT 2:47 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER BAISA, EXCUSED.)

CHAIR WHITE: Meeting of the Council of County of Maui will come back to order. Just for clarification, I believe Mr. Hokama's remarks were, were more broad in nature than the, than the motion on the floor.

COUNCILMEMBER COUCH: Okay.

CHAIR WHITE: Mr. Couch, you're right. Those items will be brought up in the next--

COUNCILMEMBER HOKAMA: Next motion.

COUNCILMEMBER COUCH: Thank you.

COUNCILMEMBER HOKAMA: That's correct, Chairman. Thank you.

CHAIR WHITE: Any further discussion on the motion on the floor? You guys are a quiet bunch. You must have had too much lunch. Okay, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", and zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILLS NO. 33, 34, 35, 36, 37 (2015),
respectively.

CHAIR WHITE: Thank you.

Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT--

COUNCILMEMBER COUCH: Clerk has to bring them up.

COUNCILMEMBER HOKAMA: Right, we already have the report up. The report is up, so
Mr. Chairman--

CHAIR WHITE: Mr. Hokama, with your, with your concurrence, the Clerk has not finished
reading the referrals. So, I think before, before you make your motion.

COUNCILMEMBER HOKAMA: I just was going to request that, Chair. Thank you.

CHAIR WHITE: Okay, thank you.

Mr. Clerk, could you complete reading the referrals.

COUNTY CLERK: Thank you.

(The Clerk read the items to be referred and filed.)

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT COMMITTEE REPORT RECOMMENDATION 6, FIRST READING OF "A BILL TO APPROPRIATE ESTIMATED REVENUES FOR THE OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016"; PASS FIRST READING, BE ORDER TO PRINT; ALL REFERRALS AS READ BY THE CLERK TO THE APPROPRIATE STANDING COMMITTEES; AND FILING OF ALL COUNTY COMMUNICATIONS AS STATED BY THE CLERK.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion by Mr. Hokama and a second by Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. If I may direct the Members to an amendment that I have posted for today. This is regarding, excuse me, it's on a communication dated May 19, 2015 from myself to you Members.

COUNTY COMMUNICATION

NO. 15-136 - RIKI HOKAMA, BUDGET AND FINANCE COMMITTEE CHAIR,
(dated May 19, 2015)

Transmitting a floor amendment to the bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016", attached to Committee Report No. 15-53, to set the Fiscal Year 2016 public transit fares to be equivalent to the Fiscal Year 2015 fares.

COUNCILMEMBER HOKAMA:

MY BUDGET AMENDMENT IS I MOVE TO STRIKE ALL PROPOSED REVISIONS, REFLECTED IN RAMSEYER FORMAT ON ATTACHED EXHIBIT "1", WHICH IS THE PROPOSED ADDITIONS ARE UNDERSCORED AND PROPOSED ADDITIONS [S/C] ARE BRACKETED, TO THE PUBLIC TRANSIT FARES FOR FISCAL YEAR 2016, AND INSERT THE FISCAL YEAR 2015 PUBLIC TRANSIT FARES IN THEIR PLACE, AS REFLECTED ON ATTACHMENT EXHIBIT NUMBER "2".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: Okay, we have a motion by Mr. Hokama and a second by Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this would retain the current fee structure that we currently have, and take away any proposed adjustments in increase of any type of fares or revisions regarding the low-income category.

Your Committee has been made aware that the County does have a study going on and we believe it will be transmitted to the Administration by the end of this calendar year, which would take in account the rates, the current rates, the impacts, the returns. I can tell you currently, Mr. Chairman, public transit, the County appropriates \$7.2 million. Paratransit, the County appropriates \$2 million. We have an approximate revenue stream of \$2.5 million, which means we subsidize this at \$6.7 million currently.

What we are looking for hopefully in the study is, of course, what is fairer to the ridership. I think what the people I meet also are interested in is what is fair to the taxpayers that pay for the subsidy. We are going to need to find some common ground that makes sense for all sides whether you're the rider or you're the provider of the subsidy. I think it's time we look at what is fair for everyone, not just a certain component of, of the program, Mr. Chairman.

And, hopefully this document, this study will show us and give us some opportunities on how to bring a further balance to the needs of providing service and yet making it affordable to those that need to pay the tax bill. Thank you.

CHAIR WHITE: Further discussion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I want to thank Mr. Hokama for bringing this up cause that was one of mine that I was going to do. But, since I read it in the paper that he was going to do it, I'm fine with him doing it. It's something that a group of us had wanted to do at, at the time of passing. So, I'm pleased that he brought that up.

This is more of a procedural issue. Are we going to be filing County Communication No. 15-136 as a result of this, cause that's what your amendment is. So, do we do that now or are we going to do that when it comes around again?

CHAIR WHITE: Mr. Hokama, was that part of your motion?

COUNCILMEMBER HOKAMA:

I WOULD SAY THAT'S A GREAT QUESTION FROM MR. COUCH AND IF THE MEMBERS ADOPT THIS MOTION, I WOULD SAY FILING OF THE COMMUNICATIONS SO, ARE MUCH APPROPRIATE, MR. CHAIRMAN. SO, WITH NO OBJECTIONS, I WOULD ASK THE MEMBERS TO INCLUDE THAT IN THE MOTION.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: No objections, so ordered.

Mr. Couch, any further comments?

COUNCILMEMBER COUCH: No, that's it. Thank you.

CHAIR WHITE: Okay. Any other comments, Members? Any other discussion?

Just to be clear, we're, this motion is to put the bus fares at the current fares as opposed to adjusting them in the upcoming budget for the period of July 1 on. So, voting in favor of this motion puts the bus fares back to where they are currently.

COUNCILMEMBER VICTORINO: Mr. Chair, that means the past 2015 year's rates?

CHAIR WHITE: Yea.

COUNCILMEMBER VICTORINO: Okay. So, I just want to be clear.

CHAIR WHITE: Current, current year.

COUNCILMEMBER VICTORINO: So, yea.

CHAIR WHITE: Yea, not 2016.

COUNCILMEMBER VICTORINO: Okay, very good. Thank you, Chair.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor of the amendment, please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", one "excused".

Mr. Hokama, any further discussion?

COUNCILMEMBER HOKAMA: Chairman, I am open to other comments or proposals by the Members. Thank you.

COUNCILMEMBER VICTORINO: Okay. Mr. Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO:

I'D LIKE TO MAKE A MOTION. I'D LIKE TO MOVE TO AMEND APPENDIX B, REVENUES - FEES, AND RATES, ASSESSMENTS AND TAXES, RELATING TO THE CORA PERMIT FEE, BY STRIKING "3,000" AND INSERTING 15, "1,500" IN ITS PLACE: FURTHER, I AMEND THE EXAMPLES AS RELATED TO CORA PERMITS FEES, BY STRIKING "\$9,000" AND IN BOTH ITS PLACE INSERTING "4,500".

COUNCILMEMBER COUCH:

SECOND.

COUNCILMEMBER VICTORINO: And, this would be changed in Ramseyer form as changes as follows.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Okay, we have a motion from Mr. Victorino and a second from Mr. Couch.

COUNCILMEMBER VICTORINO: Mr. Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: At, at this time I'd like to ask you for a quick recess please.

CHAIR WHITE: Okay. Recess at the call of the Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:02 P.M., AND WAS RECONVENED AT 3:03 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER BAISA, EXCUSED.)

CHAIR WHITE: This meeting shall come back to order.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Chair. Mr. Chair, when I put this together a few weeks ago after listening to my colleagues, I was unaware of a couple of issues that were existing out there.

Number one is that now the State has brought forth DNLR that they are going to charge three percent or \$200 per permitted beach, I mean, access to using the water now. It's not anything to do with our beaches. It's now they'll be charging three percent or \$200 for each licensee per month to use the waters of the various counties.

AND, SECONDLY, WITH THAT IN MIND, WHAT I'D LIKE TO DO IS I'D LIKE TO AMEND MY AMENDMENT WITH THE PERMISSION OF THE, MY COLLEAGUES TO SAY, TO READ THIS WAY. AND, I, AND IF I'M INCORRECT, WE CAN MAKE THE CORRECTION, BUT, WOULD LIKE TO READ, THE CORA PERMIT WOULD BE \$1,000 PER PARK, PER ACTIVITY, FOR THE TWO, FIRST TWO I SHOULD SAY, THE FIRST TWO PERMITS AND EACH PERMIT THEREAFTER HELD BY THE LICENSEE WOULD BE \$500.

And, after hearing testimony, I felt compelled to bring that forward.

COUNCILMEMBER COUCH:

NO OBJECTIONS BY THE SECONDER.

COUNCILMEMBER VICTORINO: Oh, second, thank you. So, again, after listening to all of the various permittees coming in with the onset of the State and DLNR now getting involved in collecting fees, also, for the uses of our recreation, ocean recreational areas. I felt that this may be a way to, at least for now we would collect more revenue. We would have the ability, also, to have them come to the table and maybe have a more lengthy discussion with the operators and as well as the, as the, and the public at large because they are, and from what I can read, and what I've seen, they can be a big asset to this County.

But, I do admit, there are the renegades out there that are just doing their thing and putting a bad name upon all of it. And, I think this is true in all segments of our community. All you need is one or two to make us all look bad.

And, so I believe this is a, a compromise in my mind that would help them continue to operate, come to the table, and hopefully not only, I don't know if we need more regulations, but better enforcement and maybe a better fee schedule could be worked out. So, this would just be for this year and hopefully we can work out something so by next year at this time, we would have a more definitive fee schedule that would be more applicable to the various entities as they work out there in our visitor industry. So, that was my, my, my rationale for this, Mr. Chair. Thank you.

CHAIR WHITE: Okay, further discussion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I thank Mr. Victorino for bringing this up cause that was pretty close to what I was going to do anyway. You know, we, we pulled back the bus fares for good reasons, because we did, we have a study going. We've done some things to the, to the budget this time that are new and we haven't done any, had any real discussion on them; just whatever when it came up on the floor.

I think this, this one is a very long discussion that we need to have. And, it took a long time to come up with these, the administrative rules and the original law. And, it needs to be vetted through, I think it would be Mr. Guzman's Committee, but the appropriate committee. And, then once we get that all fleshed out and discussed, including the rates, then we can come up with the rates.

But, just to come out with a blanket set of rates is going to be, you know, without any real discussion, it could be detrimental. And, we're trying to keep the economic viability of some of these operations going. Now, grant you, I think several of these can probably afford way more than this. But, that's something that we have to discuss. We can't just do it off the top of our head.

So, until then, I, I support Mr. Victorino's amendment and I, I urge that everybody do that because we, we do need to study it. We can't just throw it out there and see if it sticks. Thank you.

CHAIR WHITE: We do lots of things like that.

COUNCILMEMBER COUCH: I know that.

CHAIR WHITE: And, Mr., Mr. Guzman will be bringing it up in his Committee I'm sure. Further discussion, Members?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, I want to thank Mr. Victorino, also, for bringing this up. It was Mr. Couch and myself during deliberations, which we tried some wee hour of the night one day, and here we are. So, I thank him for that.

And, I was looking at that letter from the Small Business Regulatory Review Board that had, was given to us this afternoon, this morning, I guess, and wanting a request to this body to defer. And, so I wasn't sure if this, I mean, and obviously it's just a request and they don't have any force and effect to hold a mandate on us, I guess--

CHAIR WHITE: Would you like?

COUNCILMEMBER COCHRAN: --is the question to Corporation Counsel. I wasn't sure quite--

CHAIR WHITE: If you'd like Corporation Counsel to give you his opinion. I'm sure he'd be happy to do so.

COUNCILMEMBER COCHRAN: Yes, please.

CORPORATION COUNSEL PATRICK WONG: The short answer to your question is that the body doesn't have any governing authority over this body.

COUNCILMEMBER COCHRAN: Okay.

CORPORATION COUNSEL: That answers directly your question.

COUNCILMEMBER COCHRAN: Yes. Thank you, Mr. Wong, for that.

But, in the end, yes, I'm looking forward to further in-depth discussion via Mr. Guzman's Committee. But, at this point, very satisfied with what we're discussing right now. Thank you, Chair.

CHAIR WHITE: Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, just a couple of quick points regarding the State's Small Business Regulatory. One, I find it interesting they butt in on County home rule matters.

Second, they're concerned about this fee structure being promulgated to Hawaii Administrative Rules Act. That is not what we're doing. This is not a rulemaking. We are into establishing law and policy; two different things. So, I would say this communication is totally off-base as it regards to this Council and its ability to enact policy through law.

CHAIR WHITE: I think most of us would agree with that.

COUNCILMEMBER VICTORINO: Yes.

Mr. Chair.

CHAIR WHITE: Did you have anything else, Mr. Guzman?

Okay. Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. And, and I left that out in, purposely cause I didn't really want to get into that discussion. But, remember, I mentioned to you the other day that I had received a copy and I was very taken by that.

And, I also mentioned to a couple of the people I talked from CORA that, you know, I don't believe the State entity can come here and tell us what and how to run our parks. Unless you're willing to put your money where your mouth is, don't be coming around and telling me how and what we need to do because you can't even do a good job in your park. So, let's take care your parks and we'll take care ours.

But, beyond that, the other thing that's frustrating is, now DLNR is looking to make money off of these same vendors for the use of the ocean now. You know, so, from that high water mark into the water, they're looking at \$200 a month or three percent. And, that can add up pretty, pretty quickly.

So, I feel for them. I think this is a good compromise. I believe this is a step in the right direction. I know Mr. Hokama, when, when we first started this journey, this wasn't a, this stuff wasn't in front of us. This was not a part of our discussion. It all became aware, I became aware of this, really, yesterday when I found out both at a family gathering and at, and a meeting at the Kanaha Beach Park with a CORA representative that all of this was coming down.

So, I really feel that, I've had a real change of heart because I really believe, I don't want to put these small businesses out of business. I want to see what we can do to help them. But, at the same time, buyer beware; that if you're going to use the parks, then you got to help too because it's very important.

And, I can say this is the first time I'd been down at Kanaha Beach Park for about, oh, probably a year, year and a half, and I was very impressed how well-maintained it is. So, I got to give kudos to our Parks Department cause the beach park looked very clean, very well-maintained, and the restrooms were very clean. So, I just want to say something good about our Parks Department cause it doesn't seem to come out very much and I was very impressed yesterday when I was down there. Thank you, Chair.

CHAIR WHITE: Thank you. Any further discussion, Members? The motion on the floor is to increase the fee for the first two permits to 1,000 with all the remaining permits being at \$500 or status quo.

The Chair will just add that I think we have a significant enforcement challenge that we need to address with the Parks Department. And, I think one of the reasons that I'm comfortable with, with Mr. Victorino's motion is that we also, we had also heard testimony from a couple of people this morning that we're not putting a very good face on our presentation to our visitors in the number of our parks that they utilize pretty frequently.

And, they don't get responses when they, when they call for removal of dangerous items and so forth. So, I think before we ask for a significant increase in the fees, I think we need to do a better job of, of maintaining and, and enforcing what we have now. So, Mr. Guzman, your Committee's got a tall order ahead of it.

So, any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", with one "excused". Thank you, Members, for that discussion.

Mr. Clerk.

COUNCILMEMBER COUCH: We're still on the main motion.

CHAIR WHITE: I'm sorry, yea. I was so excited we got something passed. Any further discussion on the main motion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I want to thank Mr. Hokama again. I said this at the, getting it, when we passed it out of Committee that I agree with pretty much all of the stuff that we've done. And, we, we hashed out, we did the right compromise back and forth.

But, to me, still the "A", "B", "C" is too much. That's another thing we haven't really discussed other than the short time during Budget Committee. And, for that, I will not be supporting the main motion because I think that's something that needs to really, really be discussed before we implement that procedure. We, we had a little bit of a taste of it in our own offices and, just imagine that multiplied by millions of dollars. So, for that reason I will not be supporting the main motion. Thank you.

CHAIR WHITE: Any further discussion, Members?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER COCHRAN: Sorry.

COUNCILMEMBER HOKAMA: I'll speak last, Chairman.

CHAIR WHITE: Okay.

Mr. Victorino followed by Ms. Cochran.

COUNCILMEMBER VICTORINO: Thank you, Chair. And, you know, we've come to this, for me, will be the closing because I will not be here at second reading. So, this is my only chance to comment on this year's budget. So, I'll make it brief but I will have to say I want to thank Mr. Hokama for bringing awareness to the forefront, okay.

Whether I agreed or disagreed, he brought awareness for all of us to look more closely at how, what, where, and who we spend money with and, and, so I'm very thankful for that.

I think the public has been more engaging. Today was a classic example of engagement. And, for those bus riders who challenged me to ride the bus, I've ridden it before. Unfortunately, it doesn't run by my house and to ride it around other areas that I need to get to a meeting, I mean 20 minutes or 10 minutes, it's pretty difficult. But, I will ride the bus, I will see them on the bus, that's not a problem.

The other issue, I think, is the rates and fees. I think we did a very judicious job in looking at every rate and fee and trying to hold the line wherever and whenever we could. And, I want to thank all the Members because it wasn't always easy. And, many of us had different ideas and different takes in certain areas. I do warn everyone that by not raising the water fees this year at all, I think there may be a problem down the road. I think you're looking for a problem down the road. But, buyer beware, I've let you know, I've said what I had to say.

And, finally, Mr. Chair, I would thank you for your leadership. I know it's not been easy. This is your, this is your first rodeo. You're out there doing the best you can and sometimes it's not always easy herding all eight of us in the same direction. Or even in any semblance of the same direction. And, I know that's been something that all of us, you know, feel like we've got the best answer, but it's collaboration, like has been mentioned. When we sit down and we discuss matters, we seem to work in out.

And, the public at large, our constituents, are the benefactors. And, to all those out there who have listened through all the debates, I want to thank them because, again, if you're willing to listen to us day in and day out, and I know there are people that are out there watching this. They also ask, why do we repeat the same meeting time in and time out. And, I told them basically some people don't have the time to watch it today, they watch it tomorrow, next week, or next month.

So, Mr. Chair, I want to thank all of my colleagues for their patience, their due diligence. And, I think at this point in time I'm ready to vote and I can, I can support the vast majority of what we have brought forward.

There's a few I do, I do agree with Mr. Couch, I thought he might make an amendment to, to strike that, but I guess he didn't want to do that. I think that's going to be a little bit more of a challenge, cause I had a little challenge just in my little office with the "A", "B", "C" accounts trying to figure.

But, again, they can come if they really, really is dire straight with a budget amendment. And, I don't think Mr. Hokama or anyone in this room would object, especially if the request is legitimate and they've done their due diligence. They've done their budget right unexpected, unexpected incidents, or unexpected events may occur. However, I believe if you've done your due diligence, they're far and few between. And, that's the way it should be.

So, thank you, Chair, for allowing me this moment because June, June 5, unfortunately, I will not be here. But, at least I had a chance to say my say as far as the 2015-16 Budget. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino. Before I go to the other Members, without objections, Mr. Victorino, we, I don't believe we included in your motion, the filing of.

COUNCILMEMBER VICTORINO:

THE FILING OF THE COMMUNICATION.

CHAIR WHITE: --communication.

COUNCILMEMBER VICTORINO: I was wondering if we should do that later. So, with no objection.

NO. 15-137 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated May 19, 2015)

Transmitting a floor amendment to the bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016", attached to Committee Report No. 15-53, to amend the Commercial Ocean Recreation Activity (CORA) Permit Fee.

CHAIR WHITE: So without objection, we'll, we will file County Communication 15-137.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

COUNCILMEMBER VICTORINO: Thank you, Chair. Sorry about that.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, yea, I'm overall very pleased with the budget. I think we vetted it through quite cooperatively, I guess, and collaboratively and what have you.

But, the Section 7 part, and I have been in favor of that. And, so I just wanted to talk to the, Mr. Couch's point in regards to that because hearing Director Goode's comments this morning, and having his written testimony also. The penalty, I guess, that is stated in Charter, if such funds are not being utilized in their, you know, respective categories, I guess. Is it, and this may go to our Corporation Counsel here, that fines and jail time will be, that will be the penalty upon the Director or whoever signed off on the fund, the appropriation? Does that--

CORPORATION COUNSEL: Chair.

CHAIR WHITE: Counsel.

CORPORATION COUNSEL: Reference to Section 20 of the budget ordinance has "Whoever intentionally or knowingly violates this ordinance shall be fined not more than a \$1,000 or imprisoned not more than 30 days or both." That's within the budget ordinance itself, Section 20.

COUNCILMEMBER COCHRAN: Okay. So, but again, you know, I understand the, the discipline that this is to bring to the budgeting process. And, for me, you know, ten months we'll see how it rolls through and, and works its way through. And, if there's huge difficulties we can, you know, address it. But, I'm actually quite comfortable in looking to see how this does work out. And, that's ten months trial period, I guess. So, for me, I'm, I'm in very much support of this budget and appreciate everyone's hard work and cooperation; lots of that happened. So, thank you very much.

CHAIR WHITE: Thank you.

Mr. Hokama.

Oh, Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I'd, I'd like to just add to all this so called commentaries that we tend to vet out over here. You know, I appreciate the, the end results of what we went through, though, I do have some kinks that I question.

If, to me, collective bargaining for some departments are not that easily controllable. And, but yet, you know, I hope we will allow some departments when they do feel that pinch because of whatever the bargaining units expect of, of them. Not that we basically, or I basically agree with the high cost, you know. And, I think we come back to future discussions on how we, we conclude or we really have no authorization or a say in the negotiations, I guess, that comes with that.

So, that's kind of like my kinks. Certain other items that probably just came upon, maybe just before us, or maybe just before me at that time, at the weird hours that perhaps we were not able to go it, go through it more collectively. But, overall, you know, it's not how you start, it's how we end. And, I believe our Budget Chair and his staff and as well as yourself, and our, our whole Committee as a whole, I think we did pretty good where our public can say that if we can save pain here, we can contribute to the economy in a better way. So, I will support what Mr. Hokama puts forth in his motions. Thank you.

CHAIR WHITE: Mr. Hokama followed by Mr. Couch.

COUNCILMEMBER HOKAMA: Chairman, thank you. A couple of things, Chairman. Is this the perfect budget? No. In my perspective, as your Budget Chairman, Committee Chair, Mr. Chairman, I do believe this is fair. We worked within restrictions. We worked what we believe was a fair amount of taxation to ask from our community. We worked within the parameters of trying to show the community a true cost of their government; not hiding it through excess borrowing. Not hiding through smoking mirrors, and throwing debt one side, cash on the other side. I thought we did a good job in being very transparent and open to where we're putting the people's money, to the types of programs they have requested, and to the core services that our Charter mandates this body to address.

So, saying that, Mr. Chairman, again, two things that regardless of what level of government people serve in, the community has spoken time and again for transparency and accountability. Two things that I believe is very fair of the community to ask of us, transparency and accountability. I think moving forward at this time, with the "A", "B", "C" accounts, was just that, responding to a community concern to provide the confidence in its County government regarding accountability and transparency.

Doesn't mean County, the Council cannot in future budget deliberations make appropriate adjustments. I would like to be able to do that. I would like the departments to show us that they can be trusted and what they say is what they will do. Past practice has proven otherwise and that's why we consider this type of regulatory language in our document at this time.

But, I can tell you, the Budget Director has been very cooperative. Mr. Baz and I have already put in place items so that we can direct referral to the Budget Committee for items such as amendments should a department pass the first test, which is to get Mr. Baz to agree to submit an amendment, pass his test that their request is worthy to be submitted to Council for consideration. And, then we will have in place, within Committee, to have that direct referral to at least, at a minimum to me, eliminate three additional weeks of processing; three additional weeks that we can cut off, Chairman.

So, I think we're doing our part. I appreciate Mr. Baz already being cooperative and working with me to ensure that we can do timely processing if and when a department comes forward with a request. And, we'll see how it goes. But, I think we are in step at this time to make this budget work, Mr. Chairman. Thank you.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I just wanted to reiterate. I have no issue with all the work we did with the budget; none whatsoever. I think we all did great compromise.

I just don't think that this drastic a change in Section 7, without any real discussion, I know you can say that it's transparency and you can say accountability, but we need to find out. I mean, I was disturbed by what Mr. Goode came up and testified, saying look he could go to jail if he has an emergency and he has to, you know, expend more he, that he could have gotten from another account.

So, with things like that, I just want to be able to vet it out. I, if we have a long discussion about it in, in the appropriate Committee, I'm fine with it, you know, with what we come up with. But, we didn't. We had just had a, an idea. We talked about it a little bit and, and passed it along. So, while the budget is great, it's the Section 7 that, that is just the poison pill for me. So, thank you.

CHAIR WHITE: Any further discussion, Members?

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. I think overall, like we can say, this Council did a good job on the budget. A lot of decisions were made. People argued; some were for the right reasons, some people argued, they were decisions were made for the wrong reasons. Overall, I think we compromised and tried to come up with something that actually served our people. And, I think we did a pretty good job.

There were some things I am not satisfied with that I think we should have done differently. And, I would have a hard time believing that every other Councilmember must have some feelings like that on certain items.

I do agree with Mr. Couch on Section 7. I think it was inappropriate. I think it is inappropriate. I think it should have gone to Committee. The ramifications of that are yet to be seen. But, it is a great concern.

I will support the motion that's on the floor, but I shall hope and pray for the best. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Any further discussion? Seeing none, the Chair would just like to add his sincere thanks to the Budget staff and the Chair for the long hours. I know that is necessary after all of, all of us leave the chambers and all the community members that come in and, and watch the proceedings have, have long departed. It's a lot of work and a lot of time that goes into it. So, while everyone else is getting six to eight hours of sleep, the Budget staff is getting maybe four to six, or there about. So, to them, a sincere thank you, because it's a, a long, long process. And, and I know some of you feel it should be shorter, but I think it's, in my opinion, it's necessarily long.

And, I've been very excited watching the deliberations this year because we have no new Members. And, so everyone has been through at least two budgets. And, that has led, in my view, to much better questions, much better comments, because we're all much more familiar with the process and with the departments. And, I think that's very, very healthy.

So, I'm, I'm excited with where we are and I realize, as you all do, that nothing's ever going to be perfect. I'm very pleased that we were able to reduce the budget in such a way that we were able to, again, reduce property tax rates. Now, it has to be clear, we're not reducing property taxes because our valuations overall have gone up by 13 and a half percent. So, all we've done is reduce the increase, not eliminate it. And, that's something for which I believe we can be very proud. We have dug into each department in significant detail, in enough detail, maybe not.

But to me, one of the more significant things that we are doing in this budget is the establishment of separate "A", "B", and "C" accounts. And, the reason I feel that it's significant is because, as Mr. Hokama pointed out, he and Mr. Baz have worked out a system by which requests for budget amendments can be handled as a direct referral to the Committee and can be responded to in a very timely and short fashion.

I believe it's one of the most important things that we're doing in this budget because we're not the ones that have presented the "A", "B", and "C" accounts. They, the departments are those who have presented them. And for the most part we've not made any changes to the, or any significant changes to the "A" account, which is the salaries. So, we are committing, have committed to virtually all, in fact I think I can say across the board, all current staffing levels. We didn't approve all the requested increases, but as far as paying people to respond to various incidents, the money is going to be there.

The only time that a budget amendment would be necessary in a very quick order is if it happens at the very end of the year. And, by the time we get to the end of this next fiscal year, I'm sure that Mr. Baz and Mr. Hokama will have figured out how to handle that too.

But, essentially, we are doing what this Council is responsible for. We are responsible for the checks and balances. We are responsible for holding on to the purse strings. And, by establishing separate accounts for salaries, operational expenses, and equipment, we're simply asking, we're taking the budgeting process to the next level and saying please tell us what you need to spend. We'll give us, we'll give you what we think you need and you're going to have to live within that, that structure.

As you'll recall, last year was the first time we had access to the accounting system. So, last year was the first time we had the ability to find out how much had been spent thus far in any line item, in any department. And, I think that was a significant eye opener to every Member of this Committee because we are being asked in many cases for over \$100,000 for the upcoming year because they'd ask for \$100,000 in the previous year. And, when we found out that they'd only spent \$15,000, well that puts it in a very different perspective. So, we have gone through this budgeting process last year and this year knowing what they've spent for the first time. Not, you know, not being in a position where we've had to listen to the departments and take them at their word.

So, I believe that the establishment of the "A", "B", and "C" accounts is the next appropriate and responsible thing for this Council to do because it is requiring them to live within the budget that they have presented us. I have to do that with my wife. And, I, and I challenge anyone of you to say that you don't have to deal with the restrictions of your spouse.

COUNCILMEMBER VICTORINO: Is she listening? I don't.

CHAIR WHITE: I know your wife better than that, Mr. Victorino.

But truly, this is, this is accountability and transparency at its best. And, for us to suggest otherwise, for us to suggest that we can't operate quickly enough to respond, it's just silly. We have an emergency fund that can be used if there's a drastic, a drastic issue. So, I'm, I'm very comfortable with, with the "A", "B", and "C" accounts being set up individually and without the ability to move money from one side to the other.

Sure, it makes it a little more difficult to manage, but guess what? Over time, it's going to make our budget process much more transparent, much more accurate, and much more effective. So, I congratulate Mr. Hokama for the work that he's done on this, this budget. And, I look forward to moving it ahead.

And with that, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER COUCH.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with seven "ayes", one "no", and one "excused". And, Mr. Couch is the no, and Ms. Baisa is the one excused.

Thank you, Members.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILL 38 (2015).

COMMITTEE REPORT

NO. 15-54 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 39 (2015) entitled, "A BILL FOR AN ORDINANCE TO AMEND THE MOLOKAI COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT HOOLEHUA, MOLOKAI, HAWAII, TAX MAP KEY NUMBER (2) 5-2-015:001 (POR.), FOR THE MOLOKAI HIGH SCHOOL", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 40 (2015) entitled, "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT HOOLEHUA, MOLOKAI, HAWAII, TAX MAP KEY NUMBER (2) 5-2-015:001 (POR.) FOR THE MOLOKAI HIGH SCHOOL", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That Bill 41 (2015) entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM INTERIM DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR 16.654 ACRES AND FROM AGRICULTURAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR 4.410 ACRES SITUATED AT HOOLEHUA, MOLOKAI, HAWAII, FOR THE MOLOKAI HIGH SCHOOL", be PASSED ON FIRST READING and be ORDERED TO PRINT;
4. That the County Clerk RECORD the unilateral agreement; and
5. That County Communication 15-63, from the Planning Director, be FILED.

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN LAND USE
COMMITTEE REPORT 15-54.

COUNCILMEMBER CRIVELLO:

I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Mr. Carroll and seconded by Ms. Crivello.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. On March 20, 2015, your Committee met to consider proposed Community Plan Amendment, District Boundary Amendment, and a Change of Zoning bills to facilitate the development of upgrades to Molokai High School, including construction of a, of science facilities on property located adjacent to Farrington Avenue, Hoolehua, Molokai, Hawaii. The property is owned by the State of Hawaii.

Your Committee notes, Molokai High School is the only high school on the island. According to the Final Environmental Assessment, classrooms currently used for science instruction were designed as standard classrooms and, therefore, do not meet the Department of Education standards for science lab classrooms. Not only are they too small, but they also lack the proper layout and equipment to meet the basic science instruction standards. As a result, many lab procedures cannot be conducted; and, in some instances, students must watch virtual lab procedures or experiments on their computers.

DOE proposes to construct a 4,500-square-foot, structure containing two science classroom labs, and a space for storage and teacher preparation. The DOE also proposes incorporating a rainwater harvesting tank and a catchment system at the school.

I ask for the Council's full support on this recommendation. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Members, any discussion? Seeing no further discussion, all those in favor of the, the motion, please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILLS NO. 39, 40, and 41, respectively.

COMMITTEE REPORT

NO. 15-55 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 42 (2015) entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM URBAN RESERVE DISTRICT TO B-CT COUNTRY TOWN BUSINESS DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT LANAI CITY, LANAI, HAWAII, FOR THE PROPOSED OLD LANAI POLICE STATION/COURTHOUSE BUILDING", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That the County Clerk RECORD the unilateral agreement; and
3. That County Communication 14-161, from the Planning Director, be FILED.

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN LAND USE
COMMITTEE REPORT 15-55.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: It's been moved by Mr. Carroll and seconded by Mr. Hokama.

Mr. Carroll.

(Councilmember Crivello was excused from the meeting at 3:41 p.m.)

COUNCILMEMBER CARROLL: Thank you, Chair. On January 28, 2015, your Committee met on Lanai to consider a proposed bill to grant a request from Lanai Resorts, LLC, for a Change in Zoning from Urban Reserve District to B-CT Country Town Business District for approximately 15,000 square feet located at the corner of Eighth and Fraser Avenues, Lanai City, Lanai, Hawaii (the site of the Old Lanai Police Station and Courthouse).

Your Committee notes the subject property contains four one-story buildings: the former police station and a courthouse, a jail cell, a single-family residence, and a garage and a laundry building. All four buildings are eligible for listing on the National Register of Historic Places.

To ensure the property's historic nature is preserved and the land use complements Lanai's country-town environment, your Committee added three conditions to the proposed bill. The conditions allow only certain permitted uses while prohibiting certain accessory and special uses; require maintenance of the buildings' historic character; and require the maintenance of signage identifying the property historic nature, respectively.

I ask for the Council's support on this recommendation. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and no, seven "ayes", no "noes", and two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL NO. 42 (2015).

COMMITTEE REPORT

NO. 15-56 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 43 (2015) entitled, "A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO HEAVY INDUSTRIAL FOR PROPERTY SITUATED AT PULEHUNUI, DISTRICT OF WAILUKU, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 3-8-008:019, FOR THE PROPOSED PUUNENE HEAVY INDUSTRIAL SUBDIVISION", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 44 (2015) entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO M-3 RESTRICTED INDUSTRIAL DISTRICT (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT PULEHUNUI, DISTRICT OF WAILUKU, MAUI, HAWAII, TAX MAP KEY NUMBER (2) 3-8-008:019, FOR THE PROPOSED PUUNENE HEAVY INDUSTRIAL SUBDIVISION", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That the County Clerk RECORD the unilateral agreement; and
4. That County Communication 14-262, from the Planning Director, be FILED.

CHAIR WHITE: Mr. Carroll.

(Councilmember Crivello returned to the meeting at 3:44 p.m.)

COUNCILMEMBER CARROLL: Thank you, Chair.

COUNCILMEMBER CARROLL: On February 2, 2015--

COUNCILMEMBER COUCH: Motion.

COUNCILMEMBER VICTORINO: Motion.

COUNCILMEMBER COUCH: Motion.

COUNCILMEMBER VICTORINO: Motion.

COUNCILMEMBER CARROLL: Oh, I'm sorry.

I MOVE TO ADOPT THE RECOMMENDATIONS IN LAND USE
COMMITTEE REPORT 15-56.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Carroll and seconded by Mr. Couch.

Mr. Carroll.

COUNCILMEMBER CARROLL: We'll try to take our time now. On February 2, 2015, your Committee met to consider a request by CMBY 2011 Investment, LLC, for a Community Plan Amendment from Agricultural to Heavy Industrial and a Change of Zoning from Agricultural District to M-3 Restricted Industrial District for 86.03-acre parcel located at Pulehunui District, Wailuku, Maui, Hawaii, to facilitate development of the Puunene Heavy Industrial Subdivision.

The project proposed development plans call for subdividing a parcel to provide lots that accommodate "pure industrial uses," such as manufacturing from raw materials, warehousing, and secure baseyard activities. The property is centrally located, with convenient access to Kahului Harbor and Kahului Airport.

I ask for the Council's support on this recommendation. Thank you, Chair.

CHAIR WHITE: Thank you. Members, other discussion? Seeing no further discussion, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS NO. 43, 44 (2015), respectively.

COMMITTEE REPORT

NO. 15-57 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 45 (2015), entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 2641 (1998), THE KIHAI-MAKENA COMMUNITY PLAN AND LAND USE MAP, FROM BUSINESS/COMMERCIAL TO HOTEL FOR TAX MAP KEY NUMBER (2) 3-9-002:030 (POR.), AND TO ALLOW A HEIGHT LIMIT OF SIXTY FEET ON A PORTION OF TAX MAP KEY NUMBER (2) 3-9-002:076, KIHAI, MAUI, HAWAII, FOR THE PROPOSED DOWNTOWN KIHAI PROJECT", be PASSED ON FIRST READING and be ORDERED TO PRINT;
2. That Bill 46 (2015), entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3 RESIDENTIAL TO H-M HOTEL DISTRICT, B-2 COMMUNITY BUSINESS DISTRICT, AND OS-1 OPEN SPACE DISTRICT, FOR TAX MAP KEY NUMBERS (2) 3-9-002:030, (2) 3-9-002:076, (2) 3-9-002:080, AND (2) 3-9-002:158, KIHAI, MAUI, HAWAII, FOR THE PROPOSED DOWNTOWN KIHAI PROJECT", be PASSED ON FIRST READING and be ORDERED TO PRINT;
3. That the County Clerk RECORD the unilateral agreement; and
4. That County Communication 15-21, from the Planning Director, be FILED.

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER COUCH: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN LAND USE
COMMITTEE REPORT 15-57.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: It's been moved from Mr. Carroll and seconded by Mr. Couch.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. On March 18, 2015, your Committee met to consider a request from The Krausz Company, Inc., for a Community Plan Amendment from Business/Commercial to Hotel for a 2.6-acre portion of TMK: (2) 3-9-002:030, located at Piikea Avenue in Kihei, Maui, Hawaii, to facilitate development of the proposed Downtown Kihei Project, consisting of a mix of business, retail, commercial, and hotel use; and to amend the Planning Standards in the Kihei Community Plan to allow height limit of 60 feet on a 29,500-square-foot portion of the TMK: (2) 3-9-002:076, to accommodate a proposed movie theater.

Krausz Company, Inc., also requested a Change in Zoning from R-3 Residential District to H-M Hotel District for approximately 2.6 acres, from R-3 Residential District to B-2 Community Business District for approximately 18.3 acres, and from R-3 Residential District to OS-1 Open Space District for approximately 6.5 acres, respectively, for properties located at 1228 South Kihei Road and on Piikea Avenue in Kihei, Maui, Hawaii, to facilitate development of the proposed project.

The project will include businesses and medical offices, shops, a movie theater and restaurants, and a 150-room, four-story hotel.

Your Committee recommended conditions related to traffic be incorporated into the Change of Zoning bill, consistent with recommendations provided by the State Director of Transportation in a correspondence dated March 6, 2015. The conditions require the developer to make improvements to the intersection of Piilani Highway and Piikea Avenue and to provide traffic signals timing optimization at that intersection and the intersection of Piilani Highway and Lipoa Avenue.

I ask for the Council's support on this recommendation. Thank you, Chair.

CHAIR WHITE: Thank you. Members, any further discussion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I want to thank the Committee for bringing this up and passing it out. This, this is, project has been going through the Kihei community for about 10 years, I believe, 8 to 10 years. And, they've been going over and over and redesigning and whatnot.

And, if you note with the, the Community Plan Amendments, the, it was already, that area was already, Community Plan to be Business. They're just doing the one amendment to add a little hotel there. So, it's what the community had planned way back when. It's what the community has looked for. And, so I, I'm really glad that it's finally come through. And, I want to ask for the Committee's support. Thank you.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I was just going to ask, I don't know if Mr. Wong can answer. But, tying the intersection improvements to a certificate of occupancy, I mean, we went through this issue many times with other properties. Some don't get certificate of occupancies. So, is this the right mechanism versus final subdivision? We know when it gets final subdivision approval.

CHAIR WHITE: Mr. Wong.

CORPORATION COUNSEL: I, I couldn't answer that question off the top. I'd have to take a look at it.

COUNCILMEMBER HOKAMA: I appreciate that, Mr. Wong.

That, that's my small hang up, Chairman. I for one have come to terms that road improvements right now needs to be done first. So, for me, that's what it takes to get my support for projects. Take care your improvements up front first before you build the house. Thank you.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER HOKAMA.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: I think I just heard one "no". Measure passes with seven "ayes", one "no", and one "excused". The "no" was Mr. Hokama and Ms. Baisa is "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILLS NO. 45 and 46 (2015).

CHAIR WHITE: Okay, with that Mr. Clerk, we'll going to take a ten minute recess. So, please be here at 4:05. Recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:53 P.M., AND WAS RECONVENED AT 4:06 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBERS BAISA, CRIVELLO, AND GUZMAN, EXCUSED.)

CHAIR WHITE: This meeting will come back to order.

Mr. Clerk, let's proceed.

COMMITTEE REPORT

NO. 15-58 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending that Resolution 15-55, entitled "APPOINTMENT OF MEMBERS TO THE BOARDS AND COMMISSIONS FOR THE COUNTY OF MAUI", be ADOPTED.

Approving the appointment of Edwin Misaki (Molokai) to the Fire and Public Safety Commission, for term expiring on March 31, 2020.

Approving the appointment of Marlene Baltero (Lanai) to the Lanai Planning Commission, for term expiring on March 31, 2020.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE
REPORT 15-58.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. At our meeting of May 6, 2015, your Policy and Intergovernment Affairs Committee recommended the approval of the Mayor's nomination of Edwin Misaki to the Fire and Public Safety Commission, and Marlene Baltero to the Lanai Planning, the Lanai Planning Commission, for a term expiring March 31, 2020.

I, I respectfully request the Council's consideration on this motion. Thank you, Chair.

CHAIR WHITE: Thank you. Members, any further discussion?

Yes, Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, during the Committee, I was attempting to separate out, basically, these two nominees in order for myself in particular to vote separately on each nominee. And, it didn't really turn out that way. And, so my "no" vote is casted for both.

(Vice-Chair Guzman returned to the meeting at 4:08 p.m.)

COUNCILMEMBER COCHRAN: But, in essence what I was trying to do and accomplish was to be in favor of Mr. Misaki, but a negative on the other nominee. So, at this point, my overarching vote is still a "no". But, I did want to explain that, that truly wasn't the intent but unfortunately did not work out that way in the voting process. So, just wanted to explain that. Thank you, Chair.

(Councilmember Crivello returned to the meeting at 4:08 p.m.)

CHAIR WHITE: Thank you for sharing that.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER COCHRAN.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with seven "ayes", one "no", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 15-55.

COMMITTEE REPORT

NO. 15-59 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending the following:

1. That Resolution 15-56, entitled "APPOINTMENT OF A MEMBER TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI", be ADOPTED; and

Approving the appointment of Loren Tilley (replacing Kula Gaughen-Haili) to the Board of Water Supply, for term expiring on March 31, 2016.

2. That Resolution 15-57, entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI", be ADOPTED.

Approving the appointment of Paul Kailiponi (replacing Kent Hiranaga) to the Cost of Government Commission, for term expiring on March 31, 2019.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS OF
COMMITTEE REPORT 15-59.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. At the same meeting of May 16, 2015, your Policy and Intergovernment Affairs Committee recommended the approval of the Mayor's nominees of Loren Tilley to the Board of Water Supply and Paul Kailiponi to the Cost of Government Commission. I respectfully request the Council's consideration of these motions. Thank you. Of this motion, excuse me. Thank you.

CHAIR WHITE: Thank you.

Members, any further discussion on the motion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER COCHRAN.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with seven "ayes", one "no", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION NO. 15-56 and 15-57.

COMMITTEE REPORT

NO. 15-60 - POLICY AND INTERGOVERNMENTAL AGREEMENT:

Recommending the following:

1. That Resolution 15-58, entitled "REMOVAL OF LILAH INABA FROM THE AFFIRMATIVE ACTION ADVISORY COUNCIL", be ADOPTED; and
2. That County Communication 15-117, from the Mayor, be FILED.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Chair.

I MOVE FOR THE ADOPTION OF THE RECOMMENDATIONS
IN COMMITTEE REPORT 15-60.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. And, at the same meeting of May 6, 2015, your Policy and Intergovernment Affairs Committee recommended the approval of the Mayor's recommendation to remove . . . I forgot her first name. What was it again, Chair?

COUNCILMEMBER COCHRAN: Lilah.

COUNCILMEMBER VICTORINO: Lilah, excuse me, yea, Lilah Inaba from the Affirmative Action Advisory Council because of attendance concern.

Your Committee notes that Section 13-2(5) of the Charter provides members of a board or, and commissions appointed to the, by the Mayor, with the approval of the Council, may be removed for cause upon recommendation by the Mayor and approval of two-thirds of the Council.

Your Committee further notes that the representative of the Mayor requested Ms. Inaba to be removed because three, of three unexcused absences from meetings in the last year. He also noted attempts to, to contact Ms. Inaba have been unsuccessful. The representative noted that Ms. Inaba has also been serving on the Board of Ethics, but resigned from that body on January 21, 2015.

So, Mr. Chair, that is the recommendation of the Committee. Thank you.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes; eight "ayes", zero "noes", one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 15-58.

Mr. Chair, proceeding with county communications.

COUNTY COMMUNICATIONS

NO. 15-128 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated April 28, 2015)

Transmitting two reports on settlement of claims as of March 31, 2015.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE TO FILE COUNTY COMMUNICATION
15-128.

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

CHAIR WHITE: We have a motion from Mr. Hokama and a second from Mr. Victorino.

COUNCILMEMBER VICTORINO: Yea, don't worry. I forget my name too sometimes.

CHAIR WHITE: That's not what I was forgetting, I couldn't, I was thinking I said second from Mr. Hokama. So, it was my confusion, not, not yours.

COUNCILMEMBER VICTORINO: No problem, Mr. Chair.

CHAIR WHITE: Anyway, Mr. Hokama.

COUNCILMEMBER HOKAMA: No further discussion, Chairman.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor of the motion please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", one "excused".

Mr. Clerk.

NO. 15-129 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated May 11, 2015)

Transmitting 62 contracts/grants for the month ending March 2015.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I'm open to any requests by the Members to refer contracts to the Budget and Finance Committee.

SO, I MOVE THAT COUNTY COMMUNICATION 15-129;
EXCLUDING C5434-2, WHICH IS THE CONTRACT FOR KIVA
REPLACEMENT; AND CONTRACT C5742, THE A-MEHR
CONTRACT, TO BE REFERRED TO COMMITTEE; ALL
OTHERS FOR FILING.

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

CHAIR WHITE: We have a motion from Mr. Hokama and a second from Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: I'm open to any other requests by the Members for referral to Committee.

CHAIR WHITE: Any other requests for contracts to be referred to Committee, Members?

Seeing none, all those in favor, any further discussion, I should say. Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

NO. 15-130 - ALAN M. ARAKAWA, MAYOR,
(dated April 29, 2015)

In accordance with Section 2.41.040, Maui County Code, informing of a vacancy on the Molokai Community Plan Advisory Committee due to the passing of Moses Luczon.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I MOVE TO FILE COUNTY COMMUNICATION
15-130.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Mr. Chair, on behalf of you and our, our Council, we'd like to pass our condolences to the family of Mr. Luczon, and thank his family for allowing him to help us and serve this, serve the community of Molokai. Thank you, Mr. Chair.

CHAIR WHITE: Thank you.

Members, any further comment or discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", one "excused".

Mr. Clerk.

NO. 15-131 - ALAN M. ARAKAWA, MAYOR,
(dated May 1, 2015)

In accordance with Section 2.80B.080(C), Maui County Code, informing of the appointment of Carl Adolpho (replacing Moses Luczon) to the Molokai Community Plan Advisory Committee.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER BAISA: Thank you, Mr. Chair. With no objections from the Committee, I'd like to also call up 15-132. Have both of them done simultaneously, with no objections.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 15-132 - ALAN M. ARAKAWA, MAYOR,
(dated May 7, 2015)

In accordance with Sections 2.40.180 and 22.04A.070(B), Maui County Code, informing of the appointment of Kenneth Yamamura to the Kula Agricultural Park Committee.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION 15-31 AND
15-32.

CHAIR WHITE: One, one three one, one three.

COUNCILMEMBER VICTORINO:

131 AND 132.

Excuse me, Mr. Chair. I apologize.

CHAIR WHITE: No, no problem.

COUNCILMEMBER VICTORINO: Thank you.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Well, first of all, we'd like to thank Mr. Adolpho for stepping in and assisting us with the Molokai Community Plan Advisory Committee. And, Mr., we all know Mr. Yamamura has been a intrical part of our ag community. So, I think those two appointments will be a real blessing for the County of Maui. So, Mr. Chair, I hope that my Members can agree with the filing of this communication.

CHAIR WHITE: Thank you. Members, any further discussion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, yea, because this is one of these, 15-131 involves the Molokai Community Plan Advisory Committee, I know the Mayor has four members and we have nine. I'm assuming since we don't have to take any action on this, that this was a Mayor's.

COUNCILMEMBER CRIVELLO: He replaces Mr. Luczon.

COUNCILMEMBER COUCH: Who was, who was the Mayor's pick to begin with.

Okay, great. Thanks. I just wanted to double-check that.

CHAIR WHITE: Okay, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", one "excused".

Mr. Clerk.

NO. 15-133 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,
(dated April 24, 2015)

Transmitting water use reports for February and March 2015 received from the State of Hawaii Commission on Water Resource Management for all registered well reporters for the County of Maui.

CHAIR WHITE: Mr. Victorino

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION 15-133.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: It's been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Nothing, Mr. Chair. This is just, again, a report that I hope all the Members take some time to look over and should there be any questions to please contact the Chair Baisa, to let her know.

CHAIR WHITE: Thank you. Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", one "excused".

Mr. Clerk.

NO. 15-134 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,
(dated May 5, 2015)

Transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending April 2015.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION 15-134.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Victorino and seconded by Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: No further discussion, Mr. Chair.

CHAIR WHITE: Thank you.

Any discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER BAISA.

CHAIR WHITE: Passes; eight "ayes", zero "noes", one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, the following county communications are recommended to the following committees as noted:

NO. 15-138 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated April 24, 2015)

Reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of March 31, 2015.

The recommended action is that County Communication No. 15-138 be referred to the Budget and Finance Committee.

NO. 15-139 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated May 15, 2015)

Reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of April 30, 2015.

The recommended action is that County Communication No. 15-139 be referred to the Budget and Finance Committee.

NO. 15-140 - SANANDA K. BAZ, BUDGET DIRECTOR,
(dated May 1, 2015)

Transmitting the Budget Implementation Report as of March 31, 2015 (Fiscal Year 2015 Third Quarter).

The recommended action is that County Communication No. 15-140 be referred to the Budget and Finance Committee

NO. 15-141 - ALAN M. ARAKAWA, MAYOR,
(dated May 7, 2015)

Transmitting the summary of cost items and a proposed resolution entitled "APPROVING COST ITEMS FOR UNIT 2, SUPERVISORY BLUE COLLAR EMPLOYEES".

The recommended action is that County Communication No. 15-141 be referred to the Budget and Finance Committee.

NO. 15-142 - ALAN M. ARAKAWA, MAYOR,
(dated May 11, 2015)

Transmitting the summary of cost items and a proposed resolution entitled "APPROVING COST ITEMS FOR UNIT 3, NON-SUPERVISORY WHITE COLLAR EMPLOYEES, AND UNIT 4, SUPERVISORY WHITE COLLAR EMPLOYEES".

The recommended action is that County Communication No. 15-142 be referred to the Budget and Finance Committee.

NO. 15-143 - ALAN M. ARAKAWA, MAYOR,
(dated May 11, 2015)

Transmitting the summary of cost items and a proposed resolution entitled "APPROVING COST ITEMS FOR NON-SUPERVISORY WHITE COLLAR EMPLOYEES EXCLUDED FROM BARGAINING UNIT 3, AND SUPERVISORY WHITE COLLAR EMPLOYEES EXCLUDED FROM BARGAINING UNIT 4".

The recommended action is that County Communication No. 15-143 be referred to the Budget and Finance Committee.

NO. 15-144 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated May 15, 2015)

Transmitting the Finance Director's Quarterly Report for the Fiscal Year July 1, 2014 to June 30, 2015 as of March 31, 2015 and the Capital Improvement Project as of March 31, 2015.

The recommended action is that County Communication No. 15-144 be referred to the Budget and Finance Committee.

NO. 15-145 - JO-ANN T. RIDAO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated May 1, 2015)

Transmitting a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL LEGAL AID SOCIETY OF HAWAII WITH RESPECT TO PROVIDING LEGAL SERVICES TO QUALIFIED ELDERLY PEOPLE FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS".

The recommended action is that County Communication No. 15-145 be referred to the Committee of the Whole.

NO. 15-146 - DON COUCH, COUNCILMEMBER,
(dated May 18, 2015)

Relating to countywide transportation services, including bus and ferry systems.

The recommended action is that County Communication No. 15-146 be referred to the Housing, Human Services, and Transportation Committee.

NO. 15-147 - DAVID GOODE, DIRECTOR OF PUBLIC WORKS,
(dated April 30, 2015)

Transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF ROADWAY LOTS IN THE MAUI LANI SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The recommended action is that County Communication No. 15-147 be referred to the Infrastructure and Environmental Management Committee.

NO. 15-148 - WILLIAM SPENCE, PLANNING DIRECTOR,
(dated April 30, 2015)

Transmitting a proposed Change in Zoning application filed by Janice Welsh, Hula Maui, Inc., transmitting documents and a proposed bill entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-1 RESIDENTIAL DISTRICT TO THE SBR SERVICE BUSINESS RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 2241 WEST VINEYARD STREET, WAILUKU, MAUI, HAWAII".

The recommended action is that County Communication No. 15-148 be referred to the Land Use Committee.

NO. 15-149 - WILLIAM SPENCE, PLANNING DIRECTOR,
(dated April 30, 2015)

Relating to an application submitted by Timothy Hehemann of He-Man Landscaping, LLC, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING HE-MAN LANDSCAPING LLC A CONDITIONAL PERMIT FOR THE USE OF A LANDSCAPING BASEYARD WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY SITUATED AT 4260 HINE WAY, LAHAINA, MAUI, HAWAII", and related documents.

The recommended action is that County Communication No. 15-149 be referred to the Land Use Committee.

NO. 15-150 - WILLIAM SPENCE, PLANNING DIRECTOR,
(dated May 6, 2015)

Relating to an application submitted by Munekiyo & Hiraga on behalf of Kaanapali Golf Courses, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE GRANTING ROYAL KAA NAPALI HOLDINGS, LLC, A CONDITIONAL PERMIT TO ALLOW UP TO 24 RESORT RELATED AND COMMUNITY SPONSORED SPECIAL EVENTS PER YEAR WITHIN THE COUNTY APARTMENT AND RESIDENTIAL DISTRICTS, FOR PROPERTY SITUATED AT 2290 KAA NAPALI PARKWAY, KAA NAPALI, MAUI, HAWAII", and related documents.

The recommended action is that County Communication No. 15-150 be referred to the Land Use Committee.

NO. 15-151 - WILLIAM SPENCE, PLANNING DIRECTOR,
(dated May 8, 2015)

Relating to Community Plan Amendment and Change in Zoning applications for Chopra Hale Apartments, located at 190 Makaena Place, Kaunakakai, Molokai, submitted by Luigi Manera for Dilip Gunawardena of LDE Group, LLC, and related documents.

The recommended action is that County Communication No. 15-151 be referred to the Land Use Committee.

NO. 15-152 - WILLIAM SPENCE, PLANNING DIRECTOR,
(dated April 23, 2015)

Transmitting the Planning Director's Report and Recommendation related to Council Resolution No. 14-114, "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO ALLOW FOR THE CREATION OF AGRICULTURAL CONSERVATION LOTS".

The recommended action is that County Communication No. 15-152 be referred to the Planning Committee.

NO. 15-153 - DON COUCH, COUNCILMEMBER,
(dated May 4, 2015)

Relating to the Maui Island Plan, Chapter 4, Economic Development relating to Tourism.

The recommended action is that County Communication No. 15-153 be referred to the Planning Committee.

NO. 15-154 - DON COUCH, COUNCILMEMBER,
(dated May 15, 2015)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.80B, MAUI COUNTY CODE, RELATING TO GENERAL PLAN AND COMMUNITY PLANS".

The recommended action is that County Communication No. 15-154 be referred to the Planning Committee.

NO. 15-155 - DON COUCH, COUNCILMEMBER,
(dated May 4, 2015)

Relating to a Pesticide Study on soil, water, and air.

The recommended action is that County Communication No. 15-155 be referred to the Policy and Intergovernmental Affairs Committee.

NO. 15-156 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated May 8, 2015)

Relating to County of Maui Purchasing Cards "pCards".

The recommended action is that County Communication No. 15-156 be referred to the Policy and Intergovernmental Affairs Committee.

NO. 15-157 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated May 18, 2015)

Relating to Hawaii State Association of Counties' matters.

The recommended action is that County Communication No. 15-157 be referred to the Policy and Intergovernmental Affairs Committee.

NO. 15-158 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated May 18, 2015)

Relating to the Maui County Legislative Package.

The recommended action is that County Communication No. 15-158 be referred to the Policy and Intergovernmental Affairs Committee.

NO. 15-159 - GLADYS C. BAISA, COUNCILMEMBER,
(dated May 5, 2015)

Relating to the County of Maui Water Use and Development Plan.

The recommended action is that County Communication No. 15-159 be referred to the Water Resources Committee.

NO. 15-160 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated May 18, 2015)

Relating to infrastructure improvements to the Kanaha Valley Stream intake in West Maui.

The recommended action is that County Communication No. 15-160 be referred to the Water Resources Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, are there any objections to the referrals to committee as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you, so ordered.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with ordinances for second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 19 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
DEPARTMENT OF FINANCE, COUNTYWIDE COSTS;
TOTAL OPERATING APPROPRIATIONS; AND
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

(Councilmember Couch was excused from the meeting at 4:28 p.m.)

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I would request the Clerk to also bring up Bill No. 20, since it is similar in nature, and can be taken in one motion.

CHAIR WHITE: Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 20 (2015)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2015 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES –
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2015,
POST-EMPLOYMENT OBLIGATIONS FUND

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT BILLS NO. 19 AND 20 PASS
SECOND AND FINAL READING.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion by Mr. Hokama and a second by Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, final action by Council today will increase the contributions from 13 to 15.305 million for our OPEB contributions as it regards to our employees and retirees. Thank you.

CHAIR WHITE: Any further discussions, Members, on these two items?

Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND COUCH.

CHAIR WHITE: Measure passes with seven "ayes", zero "noes", and two "excused";
Mr. Couch and Baisa.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 21 (2015)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO.
2476 (1996), THE WEST MAUI COMMUNITY PLAN,
RELATING TO PROJECT DISTRICT 3 (KAANAPALI-NORTH
BEACH MAUKA) SITUATED AT HONOKOWAI, MAUI, HAWAII

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER CARROLL: Mr. Chair, since Bills 21, 22, 23, and 24 (2015) all relate to the same matter, I request that you ask the Clerk to call the next three bills at this time.

CHAIR WHITE: With no objections, we'll be happy to do so. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

Mr. Clerk, please proceed.

ORDINANCE NO. _____
BILL NO. 22 (2015)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND
USE DISTRICT CLASSIFICATION FROM AGRICULTURAL
TO URBAN FOR PROPERTY SITUATED AT HONOKOWAI, MAUI, HAWAII,
FOR THE WEST MAUI HOSPITAL AND MEDICAL CENTER

ORDINANCE NO. _____
BILL NO. 23 (2015)

A BILL FOR AN ORDINANCE ESTABLISHING PERMISSIBLE LAND
USES AND STANDARDS OF DEVELOPMENT FOR THE HEALTH AND
WELLNESS DISTRICT WITHIN WEST MAUI PROJECT
DISTRICT 3 (KAANAPALI-NORTH BEACH MAUKA), CONSISTING OF
APPROXIMATELY 14.99 ACRES AT HONOKOWAI, LAHAINA, MAUI, HAWAII,
FOR THE WEST MAUI HOSPITAL AND MEDICAL CENTER

ORDINANCE NO. _____
BILL NO. 24 (2015)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM R-3
RESIDENTIAL DISTRICT TO WEST MAUI PROJECT DISTRICT 3
(KAANAPALI-NORTH BEACH MAUKA) (CONDITIONAL ZONING)
FOR PROPERTY SITUATED AT HONOKOWAI, MAUI, HAWAII,
FOR THE WEST MAUI HOSPITAL AND MEDICAL CENTER

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

I MOVE TO PASS BILLS 21, 22, 23, AND 24 (2015) ON
SECOND AND FINAL READING.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTIONS.

CHAIR WHITE: We have a motion from Mr. Carroll and a second from Ms. Cochran.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. These four bills relate to a request from the Planning Director on behalf of Newport Hospital Corporation for land use entitlements needed to facilitate the development of the proposed West Maui hospital and medical center for approximately 14.99 acres located along Kakaalaneo Drive, mauka of its intersection with Honoapiilani Highway, Honokowai, Maui, Hawaii.

Newport Hospital Corporation proposes to develop a 25-bed Critical Access Hospital (including 24-hour-a-day emergency care), a 40-bed skilled-nursing facility, and a 40-unit assisted-living facility, two medical office buildings, a 40-bed substance-abuse-rehabilitation facility, and related on-site and off-site improvements on the property.

I ask for the Members support on these bills. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Members, further discussion on these four items?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Yes, Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And, this definitely has been in the planning stages way before I came around here in, in, in, you know, part of this body. But, I just want to say thanks for the people persevering through all this and getting it to this point in times.

So, more than happy to support it and to see it come through its fruition because I think it's, it'll be a positive addition to West Maui and it'll help assist in many ways to the, you know public welfare of our visitors and our resident alike. So, thank you for this opportunity.

CHAIR WHITE: Thank you. Yes, this is a, a very, very good day for West Maui; medical perspectives.

Thank you, Mr. Carroll for all the hard work of your Committee on bringing this forward.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND COUCH.

CHAIR WHITE: Measure passes with seven "ayes", zero "noes", and two "excused"; Members Baisa and Couch.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 25 (2015)

A BILL FOR AN ORDINANCE TO AMEND THE
WEST MAUI COMMUNITY PLAN AND LAND USE MAP
FROM PUBLIC/QUASI-PUBLIC TO AGRICULTURE
FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII,
FORMERLY IDENTIFIED AS THE PROPOSED WEST MAUI HOSPITAL SITE

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. Since Bills 25, 26, and 27 (2015) all relate to the same matter, may I request that you ask the Clerk to call the next two bills at this time?

CHAIR WHITE: Without objection, we'll call up the next two bills.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 26 (2015)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE
DISTRICT CLASSIFICATION FROM URBAN TO AGRICULTURAL
FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII,
FORMERLY IDENTIFIED AS THE PROPOSED WEST MAUI HOSPITAL SITE

ORDINANCE NO. _____
BILL NO. 27 (2015)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM P-1 PUBLIC/
QUASI-PUBLIC DISTRICT TO AGRICULTURAL DISTRICT
FOR PROPERTY SITUATED AT LAHAINA, MAUI, HAWAII,
FORMERLY IDENTIFIED AS THE PROPOSED WEST MAUI HOSPITAL SITE

CHAIR WHITE: Thank you.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

I MOVE TO PASS BILLS 25, 26, AND 27 (2015) ON SECOND
AND FINAL READING.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: Thank you. We have a motion from Mr. Carroll and a second from Ms. Cochran.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. These three bills relate to a request from the Planning Director, on behalf of Newport Hospital Corporation, for land use entitlements to return approximately 14.95 acres in Lahaina, Maui, Hawaii, TMK (2) 4-4-006:070 (por.) to their former agricultural designations because the property will no longer be used for the proposed West Maui hospital.

Property is owned by Kaanapali Land Management Company and is located near the Lahaina Civic Center. I ask for the Members support on these bills. Thank you.

CHAIR WHITE: Thank you.

Members, further discussion?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Yes, Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, I definitely in support of this. It's very rare that we revert back to ag. We've been seeing so many things being zoned out of ag. So, for me, this too is a happy moment for West Maui. But, so, I'm in complete support of this, Chair. Thank you very much.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS BAISA AND COUCH.

CHAIR WHITE: Measure passes with seven "ayes", zero "noes", and two "excused".

Mr. Clerk.

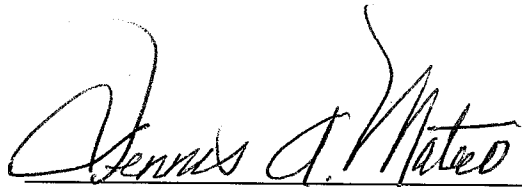
COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you very much, Mr. Clerk. And, thank you all for your patience today. And, thank you for the staff for supporting us through a very active meeting.

With that, Members, we are adjourned.

ADJOURNMENT

The regular meeting of May 26, 2015 was adjourned by the Chair at 4:36 p.m.

A handwritten signature in black ink, reading "Dennis A. Mateo", written over a horizontal line.

DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII